A Salafi critique of the Sufi concept of *wilāya* (sainthood)

an annotated translation, with critical introduction of

Muḥammad b.ᶜAlī al-Shawkānī's

Qaṭruʾl-walī ᶜalā ḥadīth al-walī

(The Later Clarification on the Tradition of the Walī)

By

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This dissertation is submitted in fulfillment of the requirement for the M. Phil Degree (Arabic) to the University of the Western Cape.

Supervisor: Professor Yasien Mohamed

November 2006

Note

The word Salafi in my thesis was the idea of my thesis supervisor, Prof. Yasien Mohamed. I originally had the title as "A Literalist Critique of the Sufi Concept of Wilaya (Sainthood)", but my supervisor thought that Salafi would best go with Sufi. I was new to academic studies and did not know any better. I hope to publish the thesis with a different title insha Allah. Suggestions are welcome.

I still hold the same views I express in my thesis and believe that *taqlid* (uncritical acceptance of a scholar's view) is the main reason behind the Muslim *ummah's* intellectual decline.

I have sent a copy of my thesis to a number of scholars that include:

1. Shaykh Muhammad al-Jibaaly author of the "The Fragile Vessels", "The Quest for Love and Mercy" and "Our Precious Sprouts" etc.
2. Mufti Ismail Menk (mufti of Zimbabwe).
3. Dr. Abdul Hakim Quick (international speaker).
4. Advocate, shaykh Muhammad Faaik Gamieldien.
5. Prof. Mohammad Hashim Kamali, author of "Principles of Islamic Jurisprudence" and "A Textbook of Hadith Studies" read the chapter (*Ijtihad* and *Ittiba'*) while he was in Cape Town.
6. A number of students studying at the Islamic University of Medina.

The only feedback I got thus far is from shaykh Muhammad al-Jibaaly who raised the issue of the word Salafi in the title and suggested that I refine the translation.

I intend to publish my thesis in the near future insha Allah, even if it is only 100 copies. If you have the time to read my thesis and constructively criticize it (language, content, translation, etc.), I will be entirely grateful. I particularly need help with a few pages of Arabic poetry that need a delicate poetic touch. If you feel you, or someone you know can help with that, then contact me urgently. I am prepared to pay for the work on the poetry.

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14 September, 2011

YEMEN

ʿASĪR
Najrān
SAUDI ARABIA
Jīzān
Abū ʿArīsh
Ṣaʿda
Jabal Barat
Shahāra
Hūth
Dhī Bīn
Wādī al-Jawf
al-Luḥayya
Ḥajja
ʿAmrān
al-Ghirās
Ma'rib
al-Maḥwīt
SANAA
Shawkān
Manākha
Yislaḥ pass
Ḍuwrān
Maʿbar
Hodeida
Red Sea
Bayt al-Faqīh
Dhamār
al-Mawāhib
Radāʿ
Yarīm
Zabīd
Samāra pass
al-Bayḍā'
Ibb
Taʿizz
Mocha
Aden
Indian Ocean

Declaration

I declare that *A Salafi critique of the Sufi concept of wilāya (sainthood): an annotated translation, with a critical introduction of Muḥammad b. ᶜAlī al-Shawkanī's Qaṭruʾl-walī ᶜalā ḥadīth al-walī (The Later Clarification on the Tradition of the Walī)* is my own work, that it has not been submitted before for any degree or examination at any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Mogamat Adams — 10th November 2006
(Student no: 2365936)

Signed……...

Abstract.

My thesis attempts to establish whether sainthood (*wilāya*) in Islam has been correctly defined according to the Glorious Qurʾān and Prophetic Sunna. It therefore mainly focuses on the commentary of the ḥadīth of the *walī* by the independent *mujtahid* and Yemeni scholar Muḥammad b. ʿAlī al-Shawkānī. I have translated the first chapter of his work, *Qaṭruʾl-walī ʿalā ḥadīth al-walī* (The Later Clarification on the Tradition of the Walī) in which Shawkānī has endeavored to give a Salafī, that is, a textually based, literalist commentary on the ḥadīth of the *walī*. His exposition of this ḥadīth finally results in a critique of the widely accepted definition of *wilāya* held by the Sufis.

Keywords

Shawkānī

Sufi

Salafi

Awliyāʾ

Qatruʾl-walī

Ijtihād

Taqlīd

Raʾy

Zaydī

madhhab

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Acknowledgements

… Very few of my slaves are thankful (*s*. 34 v. 13)

My foremost thanks are due to my supervisor Prof. Yasien Mohamed who has professionally guided me in my thesis. His continuous friendship, encouragement and support have helped me to complete my thesis.

Without the help and advice of Professor Bernard Haykel (New York University) my thesis would have suffered greatly. His book *Revival and Reform in Islam: the Legacy of Muḥammad al-Shawkānī*, which he kindly sent as a gift, provided me with invaluable information on the Yemeni sources I needed for my own research. I, however, am particularly grateful for his kind gesture to copy all the works I needed, before I finally decided to travel to Yemen, and his eagerness to help me with whatever I needed.

There are many Yemenis who have helped me with this difficult task during my month-long visit to Sanaa in December 2004, notably the Yemeni judge Muḥammad b. Ismāᶜīl al-ᶜAmrānī who granted me daily interviews and answered all my questions about Shawkānī and his works. Shaykhs Ṣubḥī Ḥallāq and ᶜAbd al-Raḥmān al-ᶜAyzarī, both students of the eminent judge, were another valuable source of information on Shawkānī. Naqīb ᶜAlī al-Sayyānī, the manager of Maktaba al-Jīl al-Jadīd, was responsible for directing me towards the places I needed to visit in Sanaa. I am grateful to the judge Ismāᶜīl al-Akwaᶜ who invited me to his home and gave me a general license (*ijāza*) for all his works. ᶜUthmān al-ᶜAzᶜazī, doing his Ph.D. in history in Syria and who was visiting Sanaa at the time showed me the hospitality of the Yemeni people.

Professor Christopher Edens, director of the American Institute for Yemeni Studies (AIYS) in Sanaa, has been responsible for making my trip to Yemen possible, housing me at the institute and giving me the opportunity to visit Hijrat Shawkān, the birthplace of Shawkānī. Nico Tilmans (Holland) applied on my behalf to al-Bayt al-Thaqāfī for sources on Shawkānī which he posted to me on his expense. I was only able to speak to

Prof. Ḥusayn al-ᶜAmrī telephonically because of his busy schedule with a visiting Saudi delegation at the time. I however appreciate his willingness to meet me to discuss my research.

My thesis would have suffered without the efforts of Anwar Adamson who has tirelessly searched for the sources I needed, first in Egypt and then in Medina where he is presently studying. Without one of the last copies of *Majmuᶜāt al-rasāᵓil al-Munīriyya*, which he found in one of the bookshops in Egypt, my research would have been immeasurably poorer. Shafeeqa Abdulrazaaq unselfishly allowed me two weeks of uninterrupted study while she took over my responsibilities at the ᶜAbdullāh b. Masᶜūd Ḥāfiẓ Institute. I am further indebted to some of the institute's students; my wife Wisāl, Ilhaam Karriem, Abdiyyah Karriem, Aysha Nakidien and Kashiefa Londt for checking the technical detail such as diacritical marks, transliteration, footnotes and consistency.

No local, international or Saudi organization has financially funded my research and I wish to thank the following people who have done so in their personal capacity: my sister Gaironesa Jardine, my mother in-law Jameelah Alexander, Saliem and Zarinah Adams, Nazeem Hendricks, Mymoena Ben-Amor (Australia), Abdul Waheed Hoosain, Jasmina Jaffar, Mogamat Hassiem Isaacs, Moenier Tape, Makki Gasant, shaykh Taariq Appleby (Islamic University of Medina), Mawlanā Ihsaan Hendricks (MJC) and shaykhas Kareema Czerepinsky and Rabeeah Shad (Dār al-Hudā Qurᵓānic School, Jeddah).

Finding the necessary sources for my study was perhaps my biggest obstacle and I am grateful to my colleagues and friends for providing me with books from their personal libraries: Prof. Yasien Mohamed, shaykhs Ihsaan Solomons, Majedie Essa, Moegamat Ihsaan Taliep (MJC), Cassiem Jabbaar and Abdullah Bayat. I would also like to thank the Dār al-ᶜUlūm al-ᶜArabiyya al-Islāmiyya in Strand for allowing me the use of their library.

Lastly, I would like to thank my mother Marḍiyya for her continuous *du^{c}ās*; my wife Wisal for buying my ticket to Yemen and having had to endure our separation while being close to giving birth to our fourth daughter as well as my daughters; Madaniyya, Ḥāfitha, Bushrā and Arwā for their enduring patience.

Note on Transliteration and Dates

To faithfully transliterate all Arabic words, I have followed the system of the *International Journal of Middle East Studies* (*IJMES*). I have retained several key Arabic terms such as *walī*, *taqlīd*, *muftī*, *sharīᶜa*, *karāma*, *umma*, *madhhab*, imam and ḥadīth in their transliterated form. A few standardized abbreviations have been used in my thesis, notably b. for ibn, d. for died, r. for reigned and ed. for editor or edition.

For Shawkānī I have dropped the definite particle (*al*) before his name and kept it for all other scholarly personalities. Familiar words such as Mecca, Medina, Sanaa, imam, ulema and Islam I have written in their common form. I have omitted the letter *tāʾ marbūṭa* (ة) which denotes the feminine gender in the Arabic language. Where I have given two dates, the date belonging to the Muslim calendar is followed by the date belonging to the Gregorian calendar. All other dates belong to the Gregorian calendar.

Preface

According to the glorious Qurʾān, the idea of gaining nearness to Almighty Allāh existed well before the rise of Islam. The Christians and the Jews, according to the Qurʾān, falsely claimed to be Almighty Allāh's beloved ones[1]. They further claimed that none other than them will enter paradise.[2] Finally, when the Qurʾān was revealed to the Prophet Muḥammad (*ṣ*) the pagan Arabs made a similar claim to that of the Jews and the Christians.[3]

Sainthood (*wilāya*) in Islam, therefore, is not a novel idea, but has its origin in the sacred text itself. The Qurʾān has broached the subject of the saints who will not experience any fear in this world or sorrow in the Hereafter.[4] Similarly, the Prophetic ḥadīth has further clarified the reality of the saint (*walī*) as someone who performs the obligatory duties and does voluntary acts to reach nearness to Almighty Allāh. Because of his sincere devotion to Almighty Allāh's obligatory duties and further seeking His Pleasure with voluntary acts, He starts to love him and opens His doors of nearness to him. Moreover, He dislikes harming His *walī* and declares war against anyone who tries to do so.[5]

There has been a general acceptance of the textual evidences which confirm the existence of the *awliyāʾ* and the great virtue Islam has bestowed on them. Exactly how this *wilāya* is to be attained in practice, however, has caused a major rift among the Muslims. The textual or literalist Salafis[6] have relied on the sacred text alone to outline

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[1]Cf. *s*. 5 v. 18.
[2]Cf. *s*. 2 v. 111.
[3]Cf. *s*. 8 v. 30-4.
[4]Cf. *s*. 10. v. 62-64.
[5]Cf. *Bukhārī*, *Riqāq*, ch. 38 (ḥadīth 6502).
[6]The use of the term Salafi has become a point of dispute amongst contemporary Salafis. There are those who hold the view that it suffices to be called a Muslim based on the Qurʾānic verse: "*He named you Muslims before* [i.e., in the other scriptures] *and in this* [i.e., the Qurʾān]…" (*s*. 22 v. 78). Others have argued that there is a need for the Salafi to further distinguish himself from other Muslims because of the different approaches to religious matters. For the purpose of this study the word Salafi is used because of its widespread use. It is however clear from Shawkānī's writings that he preferred the "way of the Pious Ancestors" rather than a distinct group called Salafis.

the scope of *wilāya*. For the Sufis, however, the sacred text provides a deeper meaning and understanding and it is therefore open to human interpretation.

The problem surrounding *wilāya* in Islam, therefore, is one of interpreting the sacred text. Crucial to the whole discussion is whether the sacred text has in fact been revealed in such a way so that the various Qurʾānic verses and ḥadīth texts can interpret one another to bring forth a textual meaning of *wilāya*. Alternatively, there would also be the assumption that the sacred text in itself cannot do so alone and it has to rely on human interpretation to understand correctly the intent of the Divine scripture.

[I] The Introduction

1. Motivation and literary context

Wilāya has been a contentious issue between the literalist Salafis and the speculative Sufis since the third/ninth century. At the core of the dispute has been the issue of introducing philosophy (*kalām*) into the teachings of Islam, which has resulted in their different interpretations of *wilāya*. In dealing with the sacred texts of the Qurʾān and Sunna, the Salafi scholars have adopted a textual approach. On this basis they have claimed that the Qurʾānic verse "*Yes, the friends of Allāh will feel no fear and will know no sorrow: those who have faith and are pious*"[1] has clearly defined the *awliyā'*. To them, faith and piety are the two key elements defining those closest to Almighty Allāh. They have further asserted that not only has Almighty Allāh defined the *awliyāʾ*, but He has also shown the way to gain such nearness through His Messenger, Muḥammad (*ṣ*). This, they say, He has done through revealing the status of the *walī* to His Prophet (*ṣ*) as reported by Abū Hurayra and documented by the strict ḥadīth critic and compiler al-Bukhārī (d. 256/869):

> I shall declare war against whoever shows hostility to My *walī*. And the most beloved things with which My slave draws nearer to Me, are those religious duties which I have commanded him to do. My slave keeps on drawing nearer to Me, by performing voluntary acts (*nawāfil*), until I love him, and when I love him, I then become his hearing with which he hears, his sight with which he sees, his hand with which he grips and his leg with which he walks. If he implores Me [for his needs], I will give him, and if he asks Me for protection I will protect him. There is nothing

[1] *s*. 10 v. 61.

> more I hesitate in doing than taking the soul of the believer, because he dislikes death and I dislike harming him.[2]

Background to the problem

The introduction of speculative theology (*kalām*) into Islamic thought as well as the blind imitation (*taqlīd*) of the earlier scholars is the greatest contributing causes, which alienated the Muslim scholars from the sacred text. Whereas, before the start of *taqlīd* the scholars would consult the Qurʾān and Sunna directly for guidance, they were now preoccupied with the private opinions (*raʾy*) of their predecessors. Having unyielding faith in the integrity and great scholarly ability of their predecessors they started with an uncritical acceptance of their opinions.

Based on the clear textual evidence we have mentioned earlier, the Salafis have argued that Almighty Allāh has clarified the issue of *wilāya*, therefore, there is no need for *kalām*. The Sufis, however, having opted for *kalām* instead, have ventured beyond the constraints of the literal intent of the sacred text and have thereby broadened the scope of *wilāya* to differ considerably with the literalist Salafis. The proposed research sets out to examine the textual approach of Muḥammad b. ᶜAlī al-Shawkānī (d. 1250/1834), the eighteenth century Yemeni scholar and reformer who has endeavored to explain *wilāya* and the way towards gaining it based on the textual proof of the ḥadīth of the *walī.*

Motivation for the research presentation

My choice of research was greatly influenced by the writings of Shawkānī and especially his work, *Nayl al-awṭār*, to which I was exposed while I was studying in the college of ḥadīth at the Islamic University of Medina, Saudi Arabia, in the early 1990's. At the time, most of his works were still in manuscript form, but the few, which were published, had already confirmed his outstanding scholarship.

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[2] *Bukhārī*, *Riqāq*, ch. 38 (ḥadīth 6501).

My interest in *wilāya* developed when, by mere chance, I found a copy of *Qaṭruʾl-walī ʿalā ḥadīth al-walī* (The Later Clarification on the Tradition of the Walī) under a pile of books in a small bookshop opposite the Grand Mosque in Mecca, during the pilgrimage (*ḥajj*) season of 1999, and which I immediately bought and read. It was a few years after reading Shawkānī's work that two of my colleagues encouraged me to enroll for postgraduate studies. I started interviewing a few local graduates who have studied at notable international and local institutes and discovered that they were unfamiliar with the textual definition of *wilāya*, despite its presence in the Qurʾān and Sunna. Culturally, the Sufi notion of *wilāya* was also firmly rooted in the minds of the local Muslims, which was the direct result of an overwhelming presence of Sufi literature in the local bookstores. On visiting these bookstores, I found that there was no alternative view to the Sufi idea such as the one Shawkānī has written. All these reasons collectively, therefore, motivated me to embark on a textually based study of *wilāya*.

Many later scholars have hailed Shawkānī as an eighteenth century reformer, because of the rich intellectual legacy he has left behind and because of the practical example he has set forth in eighteenth century Yemen. According to my knowledge, none of his works is available to the English reader. This research study of his work in English and translation, therefore, will expose the English reader and the non-Arabic researcher to his intellectual thought and scholarship. Thus, his continuous call for *ijtihād* combined with the enormous vacuum in Salafi literature on the subject as well as his scholarly endeavor to resolve many texts to form a coherent whole on the reality of the *walī*, are reasons enough that his work be researched.

Research objectives

1. To make available a translation of Shawkānī's *Qaṭruʾl-walī*.
2. To achieve a better understanding of Shawkānī's idea of *wilāya*.
3. To examine Shawkānī's method of commentary (*sharḥ*) through an analysis of his arguments, his style, and his sources.

Research approach

The method of this study is a textual translation of the work *Qaṭruʾl-walī ᶜalā ḥadīth al-walī* (The Later Clarification on the Tradition of the Walī) by Muḥammad b. ᶜAlī al-Shawkānī. Also included in the study is a critical introduction to the work and its author. The translation will be annotated and will strive to be closest to the text without sacrificing the English idiom. Ḥadīth texts will be referenced to the primary ḥadīth sources. Shawkānī's own quotations will be referenced to his other works, and quotations other than his own, will also be referenced to their sources. A short biography of distinguished scholars and narrators of ḥadīth will also be appended.

The critical introduction will include an explanation of key terms as well as a short biography of Shawkānī as a scholar. The introduction will focus on his youth and early life, his appointment as grand judge (*qāḍī al-quḍāt*), and his involvement in Yemeni politics. It will also highlight his teachers and will list his most important works as well as his interaction with the movement of Muḥammad b. ᶜAbd al-Wahhāb (d. 1206/1792) in Najd. The research will address a brief historical background of the Sufi and Salafi polemics in Yemen before, during and after Shawkānī's life. A critical analysis of his work will be done based on a comparison between his commentary approach on ḥadīth in general, and this ḥadīth specifically, and that of other ḥadīth scholars such as *al-ḥāfiẓ* Ibn Ḥajar al-ᶜAsqalānī (d. 852/1448).

A contextual comparison of his work regarding *wilāya* will be made with the work of other Salafi scholars such as Ibn Taymiyya (d. 728/1327) and that of the Sufis such as Ibn ᶜArabī. The comparison between the two different methods employed to interpret this ḥadīth specifically, and the other textual evidence in general, will allow the reader to draw his or her own conclusion about which method and conclusion arrived at, is the more sound.

Literature review

From a Sufi perspective, there are many classical writings on *wilāya*, as the sources will clearly show. From a non-Sufi perspective, however, it has been difficult to locate such material. Ibn Taymiyya appears to have been the only Salafi who has written about the reality of the *walī* before Shawkānī emerged. There is also another noteworthy classical non-Sufi contribution which is a commentary of the ḥadīth of the *walī* by Ibn Ḥajar al-ᶜAsqalānī in *Fatḥ al-Bārī*, his famous commentary on *Ṣaḥīḥ al-Bukhārī*, that tantalizingly amounts to only a few pages. Despite their efforts which were perhaps dictated by their intellectual and social circumstances both these scholars, especially Ibn Taymiyya, dealt with only one aspect of *wilāya* which is its definition, and did not elaborate on the practical aspects of achieving this. This left a notable gap in the Salafi literature despite that by the ninth/fifteenth century the Sufis had already developed a doctrine around *wilāya*, its various stations and the notion of seal of the saints (*khatm al-awliyā'*).

Shawkānī's intellectual contribution in the thirteenth/nineteenth century, therefore, offered a more comprehensive answer to the Sufis' interpretation of *wilāya* after they had dominated this area of spirituality for centuries. His desire to do an exhaustive study on the ḥadīth of the *walī* as well as to present a textually based guideline for the ordinary Muslim striving towards *wilāya* has thus strengthened the Salafi position. He has endeavored to resolve the ḥadīth with the vast ḥadīth corpus and the relevant Qurᵓānic verses and in the process has tried to define the *walī* textually as well as outline the path to achieve *wilāya.*

One of the earliest Sufi personalities to write on *wilāya* was ᶜAbd al-Karīm al-Qushayrī (d. 645/1247). His work, *al-Risāla al-Qushayriyya*, is a manual of Sufi terminology and stages and does not deal extensively with *wilāya*, but briefly defines the *walī*, their miracles, and fear of deception, seeing Almighty Allāh, and their changing states.

The mystic Muḥammad b. ᶜAlī b. Bishr b. Hārūn, commonly known as al-Ḥakīm al-Tirmidhī (d. 295 or 300/907 or 912), speculated strongly around the theme of *wilāya* in his *Sīrat al-awliyā'* (The life of the friends of God). He developed the doctrine of *wilāya* to include the supreme idea of the status of *khatm al-awliyā'*. Contemporary western researchers consider him the first person to broach the subject of seal of the saints. He, unlike Ibn ᶜArabī to be discussed next, arrived at one seal.

Muḥyī al-Dīn Ibn ᶜArabī (d. 638/1240) expounded the intellectual thought of al-Ḥakīm al-Tirmidhī, but arrived at a different result. His *Futūḥāt al-Makkiyya*, as well as the *Fuṣūṣ al-Ḥikam*, sheds more light on the notion of seal of the saints. Unlike Ḥakīm al-Tirmidhī, Ibn ᶜArabī arrives at two seals, that is, ᶜĪsā (Jesus (*as*) who is identified as the universal seal and Ibn ᶜArabī who appoints himself as the Muḥammadan seal.

Aḥmad b. Taymiyya was one of the earliest Salafi scholars to disagree with the Sufi interpretation of *wilāya*. His work *al-Furqān bayna awliyāᵓ al-Raḥmān wa awliyā' al-shayṭān* (The difference between the allies of the Merciful and the allies of the devil), discusses as its central theme the difference between these two divergent groups. He regards every Muslim whether trader, homemaker or doctor a *walī* and regards their station of *wilāya* as being dependent on their personal piety and belief. Although he has dealt with *wilāya* substantially he, however, has neglected an important area that has been the focus of the philosophical Sufis, which is a detailed discussion of reaching a higher degree of *wilāya.*

Ibn Ḥajar al-ᶜAsqalānī has dealt with the tradition of the *walī* from a purely ḥadīth perspective. In his commentary, *Fatḥ al-Bārī*, he has defined the *walī*, as the person who knows Almighty Allāh, is dedicated in His obedience and sincere in His worship. This definition, based on the Qurᵓānic verse, has become the cornerstone of the Salafi belief that *wilāya* is attainable only through correct belief and righteous conduct. Besides the definition of the *walī*, his commentary is not substantial on *wilāya* itself.

Shawkānī's contribution to the debate is the most comprehensive from the Salafi perspective. His reliance on earlier intellectual figures such as Ibn Taymiyya and Ibn Ḥajar allowed him the opportunity to address the important issues they had neglected. His work, therefore, can be considered a combination of their scholarly efforts as well as his own intellectual ability. His work *Qaṭruʾl-walī*, can therefore be considered an exhaustive commentary of the ḥadīth of the *walī*; "I shall declare war against whoever shows hostility to My *walī* ", which is central to both the Sufi and Salafi discourse.

Modern research on *wilāya* and Shawkānī

The concept of sainthood in early Islamic Mysticism-Bernd Radtke and John O' Kane.
Seal of the Saints-Michael Chodkiewicz.
The way of walāya an article by Souad Hakim.
From virtue to apocalypse: The understanding of sainthood in a medieval order-an article by Richard J.A. McGregor.
Ibn ᶜArabī in the Later Islamic Tradition: The Making of a Polemical Image in Medieval Islam-Alexander Knysh.
Reformers of the eighteenth century: Rethinking the tradition in modern Islamic thought-Daniel Brown.
Revival and Reform in Early Modern Islam: the legacy of Muḥammad al-Shawkānī-Bernard Haykel.
The Yemen in the 18th & 19th centuries: a political and intellectual history-Ḥusayn al-ᶜAmrī.

The overwhelming Sufi contribution to *wilāya* has so far dominated modern research on the subject. The most noteworthy research, which has been done, is that on al-Ḥakīm al-Tirmidhī and Ibn ᶜArabī. Contemporary western scholars such as Bernd Radtke regard al-Tirmidhī as the most prolific author during the whole period of classical Islamic mysticism. His two works, The autobiography of the theosophist of Tirmidh (*Badʾ shaʾn Abī ᶜAbd Allāh Muḥammad al-Ḥakīm al-Tirmidhī*) and *Kitāb Sīrat al-Awliyāʾ* (The Life of the Friends of God), is an annotated translation by Bernd Radtke

and John O' Kane, titled: *The concept of sainthood in early Islamic Mysticism*. Whereas the *Bad'* is the personal biography of al-Tirmidhī, the *Sīrat* discusses the spiritual stages of the mystic in general. Central to the whole debate is his discussion of the doctrine of *khatm al-awliyāʾ*. In *Seal of the Saints*, Michael Chodkiewicz, focuses on a greater station of *wilāya*, that is, *khatm al-awliyāʾ*, which was the brainchild of al-Ḥakīm al-Tirmidhī and later further expounded by Ibn ᶜArabī. The latter, unlike al-Tirmidhī, produces textual evidence from the noble Qurʾān to justify the existence of such a persona.

Alexander Knysh in *Ibn ᶜArabi in the Later Islamic Tradition* examines the perception surrounding the great master's personality during the four centuries following his death and the role of his opponents, the Islamic jurists, and scholars, in shaping his personality. Knysh's investigation finally leads him to medieval Yemen where an introduction to Ibn ᶜArabī's teachings unleashed centuries of polemical clashes between the Yemeni jurists (*fuqahā'*) and the Sufis.

The Yemen in the 18th & 19th centuries is a combination of the political history of Yemen in these periods as well as a study of the intellectual thought of Shawkānī, one of the major Yemeni intellectual figures. Al-ᶜAmrī looks at Shawkānī's life and his enduring importance as a *mujtahid* and *faqīh*, *mufassir*, historian and poet.

Souad Hakim in *The way of walāya* discusses the various ways to arrive at the Holy Presence based on the doctrine of *wilāya* of Ibn ᶜArabī whereas McGregor examines how *wilāya* developed and progressed in the Shādhilī order. *al-Imām al-Shawkānī: ḥayātuhu wa fikruh* by ᶜAbd al-Ghanī, Qāsim, Ghālib Sharjī, presents a general impression of Shawkānī's life and intellectual thought, whereas *Revival and Reform in Early Modern Islam: the Legacy of Muḥammad al-Shawkānī* by Bernard Haykel examines his life sketched against his political and religious alliances with the Qāsimī rulers of the Zaydī sect. *Reformers of the eighteenth century: rethinking the tradition in modern Islamic thought* by Daniel Brown concentrates on Shawkānī's expertise as a ḥadīth specialist and reformer of the eighteenth century.

2. Shawkānī's life and works

> The Yemenis have come; they are tenderhearted, correct belief belongs to the Yemenis, understanding of religion (*fiqh*) belongs to the Yemenis and wisdom belongs to the Yemenis.
>
> Muslim[1]

His early life

In his autobiography in *al-Badr al-ṭālīᶜ*, Shawkānī says he was born on Monday 28th Dhūᵓl-Qiᶜda 1173/14 July 1760 based on his birth date recorded in his father's handwriting in the village of Hijrat Shawkān.[2] Born into a prestigious family of scholars and judges, his father, ᶜAlī b. Muḥammad al-Shawkānī (d. 1211/1797), served as judge for forty years under the rule of the imam, al-Mahdī al-ᶜAbbās (d. 1189/1775), first in Khawlān and then later in Sanaa.[3] After settling in Sanaa as judge and teacher his father made an occasional visit to Hijrat Shawkān during the autumn of 1173/1760 where Shawkānī was born. At an early age, like all the great scholars before his time, he devoted his time to memorize the noble Qurᵓān under the teachers of Sanaa.[4]

Before embarking on serious religious studies, he memorized some abridged works and read extensively on history and Arabic linguistics. It is only after this, that the relatively young Shawkānī started studying in earnest under his father, then ᶜAbd al-Raḥmān b. Qāsim al-Madānī (d. 1211/1797), Aḥmad b. ᶜĀmir al-Ḥadā'ī (d. 1197/1783) and Aḥmad b. Muḥammad al-Ḥarāzī (d. 1227/1812). The latter was his jurisprudence (*fiqh*)

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[1] *Muslim* (*Sharḥ al-Nawawī*), *Iman*, ch. 21 (ḥadīth 82). Ḥadīth commentators such as al-Nawawī have suggested that these great virtues do not extend further than the earlier Yemenis in the time of the Prophet (*ṣ*) and immediately after his death such as Uways al-Qaranī and Abū Muslim al-Khawlānī. Other commentators such as al-ᶜAsqalānī, however, have contended that the virtue of faith will belong to the Yemenis until the end of time, since faith will remain in Yemen after it has been removed from the entire world. See *Sharḥ al-Nawawī*, *Iman*, ch. 21 (ḥadīth 82); al-ᶜAsqalānī, *Fatḥ al-Bārī*, *Fitan*, ch. 24 (ḥadīth 7117).

[2] Muḥammad al-Shawkānī, *al-Badr al-ṭāliᶜ bi-maḥāsin man baᶜd al-qarn al-sābiᶜ*, Ḥusayn al-ᶜAmrī (ed.) (Beirut: Dār al-Fikr al-Muᶜāṣir, 1998), p. 732 (biography 482) (hereinafter *Badr*).

[3] Ibid., pp. 481-5 (biography 334).

[4] Ibid., p. 732 (biography 482).

teacher under whose guidance he graduated after thirteen years.[5] At the age of twenty, according to Shawkānī, he started issuing consultative legal opinions (*fatāwā*) after having studied all the specialized works of his luminary Yemeni teachers. A notable exception, he recounts, was ᶜAbd al-Qādir b. Aḥmad al-Kawkabānī[6] (d. 1207/1772) one of his pivotal teachers, whose works he could not complete because of the latter's unexpected death. As mentioned earlier, Shawkānī started issuing *fatwās* in Sanaa to the masses and scholars alike and soon, some of these *fatwās* reached him from afar as the Tihāma region where his own teachers were themselves involved in issuing *fatwās* to the locals. He made a point of not charging for issuing any *fatwā* and when questioned about it, he modestly responded: "I received this knowledge without charge and I wish to give it in the same way".[7]

Education, according to Shawkānī, had to be given to those seeking it and sometimes he would teach his students an incomplete work which he was busy studying with his teacher. Other times, as soon as he completed the work, he would immediately start teaching it to them.[8] This teaching would be in the form of recitational-reading (*qirāᵓa*) or audition (*samāᶜ*).[9] His daily lessons amounted to thirteen in all, which he would either study under his teachers or teach his students. All his knowledge, he proudly explains, he gained in Sanaa and this, he says, because his parents never allowed him to travel outside Yemen.[10]

In *al-Badr al-ṭālīᶜ*, Shawkānī extends his sincere gratitude to his father, a scholar, and judge in the Zaydī-Hādawī[11] mould, for encouraging him to pursue his education. His

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[5]Ibid.

[6]ᶜAbd al-Qādir b. Aḥmad al-Kawkabānī was one of Shawkānī's inspirational mentors who encouraged him to write his famous work *Nayl al-awṭār*. Cf. *Badr*, p. 372 (biography 243).

[7]Shawkānī, *Badr*, p. 736 (biography 482).

[8]Ibid.

[9]Brinkley Messick, *The Calligraphic State*: *Textual Domination and History in a Muslim Society* (Berkeley: University of California Press, 1993), pp. 90-2.

[10]Shawkānī, *Badr*, p. 73 (biography 482).

[11]Zaydism falls within the Shīᶜa branch of Islam and is named after Zayd b. ᶜAlī the son of Ḥusayn the son of the fourth caliph ᶜAlī (*ra*). Politically they show moderation towards the first three caliphs; Abū Bakr, ᶜUmar and ᶜUthmān (*ra*) and in matters of legal law they have close ties with the Ḥanafī *madhhab*. They are also called Hādawiyya because of their allegiance to al-Hādī ilā al-Ḥaqq Yaḥyā b. al-Ḥusayn b. al-Qāsim al-Rassī (d. 1100/1689) in legal matters. Cf. Jeffrey R. Meissner, *Tribes At The*

father was vital in laying the foundation for his famous career. He remembers his father teaching him two Zaydī-Hādawī works; *Sharḥ al-Azhār* and *Sharḥ al-Nāẓirī* with a few other students.[12] Al-Shijnī (d. 1286/1883), Shawkānī's student and biographer, tells us of a young and mature Shawkānī while studying *Sharḥ al-Azhār* under his father questioning him about which of the conflicting Hādawī legal opinions was the correct one to follow. His father preferred Ibn al-Murtaḍā[13] (d. 840/1436), the Zaydī-Hādawī author's opinion. Not gratified by his father's answer, he asked him about the most learned contemporary Yemeni scholar. His father replied, Aḥmad al-Kawkabānī, who was studying in the religious circles of Mecca and Medina at the time. When al-Kawkabānī returned to Yemen, after having spent two years in Mecca and Medina, Shawkānī immediately started studying under him.[14]

His father was one of Shawkānī's first teachers as explained earlier, but in an ironic reversal of roles, he would later become his father's teacher. Giving a vivid description of his father's simplicity and humility, he infers that he is one of the *awliyā'* of Almighty Allāh and on the Pious Ancestors' (*al-Salaf al-Ṣāliḥ*) way in all his matters. He recollects that: "I studied *Sharḥ al-Azhār* and *Sharḥ al-Nāẓirī* under him (*r*) when I was young with a few other students, and before he passed away, he studied *Ṣaḥīḥ al-Bukhārī* under me".[15] Before reaching thirty years old, Shawkānī describes himself as already having reached the status of an independent religious authority (*mujtahid muṭlaq*).[16]

Core: Legitimacy, Structure And Power In Zaydī Yemen, Ph. D. thesis, Columbia University, 1987 pp. 27,38,68; Ismāᶜīl b. ᶜAlī al-Akwaᶜ, *al-Zaydiyya: nashᵓatuhā wa muᶜtaqadātuhā* (n.p.: Sanaa, 2000), pp. 98-109.

[12]Shawkānī, *Badr*, pp. 485-6 (biography 334).

[13]Imam al-Maḥdī Aḥmad b. Yaḥyā b. al-Murtaḍā was an acclaimed Zaydī scholar who accepted the pledge of loyalty (*bayᶜa*) from the people of Sanaa after the death of the ruler imam al-Nāṣir. Afterwards fierce fighting broke out between his supporters and that of the imam-incumbent, al-Mansūr ᶜAlī b. Ṣalāḥ al-Dīn. He was imprisoned from 794-801/1390-1398 during which he wrote his famous book *al-Azhār* (The Flowers), cf. Shawkānī, *Badr*, pp. 139-143 (biography 77).

[14]Muḥammad b. al-Ḥasan al-Shijnī, *Ḥayāt al-imām al-Shawkānī al-musammā Kitāb al-Tiqṣār*, Muḥammad b. ᶜAlī al-Akwaᶜ (ed.) (Sanaa: Maktaba al-Jīl al-Jadīd, 1990), p. 423 (hereinafter *al-Tiqṣār*).

[15]Shawkānī, *Badr*, pp. 485-6 (biography 334).

[16]Ibid., p. 740 (biography 482). A *mujtahid muṭlaq* derives his religious rulings independently from any *madhhab*.

Shawkānī becomes Chief Judge (*qāḍī al-quḍāt*)

On the death of Yaḥyā b. Ṣāliḥ al-Saḥūlī[17] (d. 1209/1795), the former chief judge (*qāḍī al-quḍāt*) of the imamate, a powerful position became available. Biographical detail of the former chief judge suggests that his powers extended further than merely judging in religious disputes. Shawkānī briefly sketches al-Saḥūlī's tenure first under the rule of imam al-Manṣūr bi-Allāh al-Ḥusayn b. al-Qāsim[18] then under his son al-Mahdī li-Dīn Allāh al-ᶜAbbās b. al-Ḥusayn[19] (d. 1189/1775) who briefly imprisoned the judge. Finally, at the death of al-Mahdī, his son, imam al-Manṣūr bi-Allāh ᶜAlī b. al-ᶜAbbās[20] (d. 1224/1809), reinstated him as chief judge. It is imam al-Mahdī who extended al-Saḥūlī's power to ministerial level, which caused Shawkānī to comment: "Most of the caliphate matters revolved around him". Even after his brief imprisonment by al-Mahdī and his consequent reinstatement by al-Manṣūr, he retained his political influence. Shawkānī comments:

> …And [after the death of al-Mahdī] the imamate passed on to our leader (*mawlāna*) imam al-Manṣūr bi-Allāh ᶜAlī b. al-ᶜAbbās (*r*) who reinstated the biographical personality [we are dealing with] to the highest judgeship and entrusted him with all its related matters. He became the source of all the Yemeni judges everywhere with great sanctity, dignity, and grandeur and became the highest ranked judge of which none of the other judges could contradict. Any matter, which he sanctioned, no one could veto and whatever he disapproved of no one would dare to instate.

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[17]Yaḥyā b. Ṣāliḥ b. Yaḥyā al-Saḥūlī al-Shajarī was appointed as judge by imam al-Manṣūr bi-Allāh Yaḥyā b. Ḥusayn b. al-Qāsim before he was twenty years old, because of his intelligence and expertness at judging disputes and remembering individual cases, cf. Shawkānī, *Badr*, pp. 852-3 (biography 577).

[18]al-Manṣūr bi-Allāh Ḥusayn b. al-Mutawwakil ᶜalā-Allāh al-Qāsim b. Ḥusayn became the next imam after he recieved the pledge of loyalty (*bayᶜa*) when his father, al-Qāsim, died in 1139/1727. Cf. Shawkānī, *Badr*, p. 237 (biography 147).

[19]He was al-Mahdī li-Dīn Allāh al-ᶜAbbās b. imam al-Manṣūr bi-Allāh. During his father's lifetime, he was a great leader and at his father's death, everyone gave him the pledge of loyalty, including his paternal uncle who did not recognize his father's rule. Cf. Shawkānī, *Badr*, p. 221 (biography 220).

[20]al-Manṣūr bi-Allāh ᶜAlī b. imam al-Mahdī al-ᶜAbbās b. al-Manṣūr Ḥusayn was given the governorship of Sanaa and became commander in-chief of the troops in 1172/1759 and proved an able leader. Cf. Shawkānī, *Badr*, p. 462 (biography 324).

> Our caliph (*r*) consulted him about all the important caliphate matters. Rather, all the ministers consulted him and carried out whatever he commanded.[21]

Shawkānī's own appointment came from the imam, al-Manṣūr ᶜAlī b. imam Mahdī al-ᶜAbbās, hoping to secure his services after the death of al-Saḥūlī. He cites his involvement in teaching, writing, and issuing *fatwās* when the former judge died as the main reasons that distanced him from people, especially the Yemeni polity. According to Shawkānī, he only knew after a week via some of his students that the imam wanted to meet with him. When they met, imam al-Manṣūr offered him the post of *qāḍī al-quḍāt*. Shawkānī initially showed great reluctance and tried to excuse himself because of his involvement in teaching. The imam insisted that it was possible to do both since he would only have to judge on the two days of the week when the judges met at his imamic council (*dīwān*) to resolve religious disputes. The imam's reassurance somehow quelled Shawkānī's fears and he asked for some time to pray for guidance (*istikhāra*) and to consult the pious people.[22] For a week, Shawkānī mulled over the decision to take up the imam's offer and in his own words gave the reason why he changed his mind and finally accepted the post:

> When I left the imam, I was undecided for a week. Most of Sanaa's scholars visited me and they all agreed it was compulsory for me to accept the imam's offer. They feared that someone else untrustworthy in his knowledge and conduct would accept the position and become the source of religious rulings in all of Yemen. They encouraged me via lengthy letters. Then I accepted the position asking Almighty Allāh's help and placing my trust in him.[23]

Al-Shijnī mentions that Shawkānī stipulated a few conditions before accepting the post, the most important being that the imam should carry out all his rulings whatever they

[21]Shawkānī, *Badr*, pp. 852-3 (biography 577).
[22]Ibid., pp. 466-7 (biography 324).
[23]Ibid., p. 467.

were and whomever they applied to, including the imam himself.[24] Al-Manṣūr accepted all his conditions. Anyone who later dared to disagree with Shawkānī's rulings received no sympathy from him, while he rigidly upheld all Shawkānī's rulings. His son, al-Mutawakkil, would retain Shawkānī's services with the same conditions as well as his grandson al-Mahdī li-Dīn Allāh. Al-Mutawwakkil depended solely on Shawkānī's rulings for all political matters affecting the imamate and would send the jurist, ᶜAlī b. Ismāᶜīl Fāriᶜ (d. 1230/1815), to consult him on these matters. In any particular case that Shawkānī disagreed with the imam's opinions and rebuked him for that, the latter would agree to his position and swear that he would uphold it, even with military force.[25] Shawkānī finally served as *qāḍī al-quḍāt* under three successive imams all of whom accepted him as the undisputed religious authority.

Justice and the desire to serve the poor and needy of Yemen marked his service to the imam. That is something which he drew from in his early life as recounted by al-Shijnī. According to him, as a teenager not having reached puberty yet, Shawkānī once defended one of Shawkān's villagers against one of the neighboring Shawbān villagers. The Shawkānī's cattle had entered the lands and crops of the Shawbānī. On this, the Shawbānī summoned the other villagers for help and they responded by coming to his rescue with their weapons. The Shawkānī villager feared for his life and fled without his cattle. Upon that, the young Shawkānī positioned himself behind a rock and kept the Shawbānīs at bay with a rifle until the Shawkānīs came and collected his cattle.[26]

Shawkānī carried his courage as a teenager with him throughout his adulthood. Because of that, Yemeni politics, like in al-Saḥūlī's tenure, had to comply with the noble Qur?ān and the Prophetic Sunna. By accepting the post of *qāḍī al-quḍāt*, he had stepped into the political arena and would soon correspond with the surrounding political leaders especially the Saudi-regime which was trying to settle itself in Northern Arabia.

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[24]al-Shijnī, *al-Tiqṣār*, p. 425. See the biography of Muḥammad b. ᶜAlī b. al-Ḥusayn al-ᶜAmrānī.
[25]Ibid.
[26]Ibid., pp. 420-1.

Placing Shawkānī intellectually

There has been much debate about the school of thought (*madhhab*) Shawkānī belonged to and this can largely be attributed to his diverse exposure to Sunnī as well as Shīᶜa teachings. As a moderate Zaydī Shīᶜī, he was brought up on the Muᶜtazilī doctrine and followed the jurisprudence of the Hādawī *madhhab*. Later in his intellectual life, however, he showed an intense interest in the ḥadīth works of the Sunnī ḥadīth masters such as al-Bukhārī and Muslim (d. 261/874). Based on these somewhat conflicting strands of thought, which shaped his intellectual development, it is not difficult to see why there have been such divergent views on his intellectual placing. Some scholars therefore claim that he remained a Zaydī while others claim he was a reformed Muᶜtazilī.[27] Yet other scholars claim he was either a follower of Ibn Taymiyya or Muḥammad b. ᶜAbd al-Wahhāb.[28] Al-Sharjī has cited all these opinions in his study on the life of Shawkānī and has disproved them. There are two other opinions worthwhile mentioning here: that of ᶜAbd Allāh Numsūk who regards Shawkānī as following the way of the Salaf in belief, and Bernard Haykel who places him within the ranks of the Yemeni Traditionists (*Ahl al-Ḥadīth*) which we shall presently discuss.[29]

Haykel's theory that Shawkānī was from the *Ahl al-Ḥadīth* is partly correct, because as a *mujtahid*, Shawkānī did not belong to any particular *madhhab* and his predilection for the ḥadīth works and its attendant sciences such as *isnād* criticism (*jarḥ wa taᶜdīl*) supports his supposition to a certain extent. However, both Ibn al-Wazīr (d. 840/1436) and Ṣāliḥ al-Maqbalī (d. 1108/1696), identified by Haykel as being from the

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[27]This is the celebrated "rationalist" school of *kalām* whose name comes from a word that means "to stand aloof ". They, however, referred to themselves as the *Ahl al-ᶜadl wa'l-tawḥīd* (The people of [the divine] justice and unity), cf. Frederick Matthewson Denny, An Introduction to Islam (New York, Macmillan, 1985), pp. 200, 401.

[28ᶜ]Abd al-Ghanī Qāsim Ghālib al-Sharjī, *al-Imām al-Shawkānī ḥayātuhu wa fikruh* (Sanaa: Maktaba al-Jīl al-Jadīd, I987), pp. 287-9 (*hereinafter Imām al-Shawkānī*).

[29]Cf. ᶜAbd Allāh Numsūk, *Manhaj al-imām al-Shawkānī fī ʾl-ᶜaqīda* (Beirut: Muʾassasa al-Risāla, 1994), p. 124 (hereinafter *Manhaj al-imām al-Shawkanī*); Bernard Haykel, *Revival and Reform in Islam: the legacy of Muḥammad al-Shawkānī* (Cambridge: Cambridge University Press, 2003), p. 86.

Traditionists,[30] had deplored some of the *Ahl al-Ḥadīth* embarking on the speculative course. Al-Maqbalī lashed out at his colleagues in the following words:

> Therefore, those ḥadīth scholars [i.e., Ashᶜarīs] who claim to follow the Sunna and forbid speculative theology, their harm is greater than that of others, because they are obstructing the *sharīᶜa's* path. Harm, war, attack, snakes, scorpions, poison, and wild animals are more dangerous in the middle of the roads than on the pavements. Their [i.e., the Ashᶜarīs] disease came from plunging into speculative theology, and they became even more fanatical than the speculative theologians [i.e., Muᶜtazilīs] themselves, because the speculative theologians based their argument on investigation [rationale] without censuring the seeker who debates, asks questions and invents explanations. To the contrary, they regarded this intelligence and perfection.
>
> Perhaps the later speculative theologians [i.e., Ashᶜarīs], with progressive investigation, discovered the two factions [Muᶜtazilīs and Ashᶜarīs] have similar views, such as the followers of [Abū 'l-Ḥasan] al-Ashᶜarī (d. 324/935) who discovered the fallacy of predestination (*jabr*) followed by their tenacious clinging to [the notion of] an acquired action (*kasb*).[31] Therefore, when its defect became clear, they followed the Muᶜtazilī *madhhab* in principle as we have explained. Even though the Muᶜtazilīs have confirmed free will (*ikhtiyār*) [in conduct], it is not particular to them so you should scare others away from it, because that is Almighty Allāh's religion and proof. Some of the later [Ashᶜarī] scholars who examined their *madhhab's* opinions, treated their predecessors' beliefs lightly, and because of this, their *madhhab's* pride became subdued.

[30]Haykel, *Revival and Reform in Islam*, p. 10.

[31]*Kasb* is an Ashᶜarī concept whereby the doer of an action is neither compelled to do so (*jabr*) nor does he have complete free will. The person thus doing an act becomes the instrument whereby Allāh does the act and he acquires the act in this way, cf. Watt, *The Formative Period of Islamic Thought*, p. 192.

> As for [some] of the ḥadīth scholars [i.e., Ashᶜarīs], they took the matter of speculative theology at first sight, believed in it, and did not warn against it, as if in doing so was an innovation (*bidᶜa*). However, it was an innovation from beginning to end. Why did they enter such? It is as if they entered it without any motive. Nevertheless, the devil schemed saying, 'You [i.e., the Ashᶜaris] are the *Ahl al-Sunna;* who will defend the Sunna if you leave them [i.e., *Ahl al-Ḥadīth*] alone'? They [i.e., the Ashᶜarīs did not restrict themselves to what they followed [i.e., of the Sunna] nor did they reach the goal [i.e., speculative theology] of the people [i.e., Muᶜtazilīs] to refute them.[32]

The first Yemeni reviver, Ibn al-Wazīr, came to a subtler, yet more concise and decisive conclusion. Responding to the accusation that some of the Traditionists held similar views to that of the rationalist Muᶜtazilīs, he says:

> That happened to some of the Traditionists [i.e., Ashᶜarīs] because of the plentiful sciences which you [i.e., Muᶜtazilīs] pride yourselves in practicing and distinguishing yourselves over them [i.e., Traditionists]. Whoever [of the Traditionists] remained on the way of the Salaf will safeguard him from everything, which happens by delving into speculative theology and burdening him with innovating something that was never part of belief.[33]

Ibn al-Wazīr's response shows that he believed the Traditionist way without any speculative theology, was the way of the Pious Ancestors. Al-Maqbalī, on the other hand, highlighted the danger of the speculative ḥadīth scholars which he regarded more

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[32]Ṣāliḥ b. al-Mahdī al-Maqbalī, *al-ᶜAlam al-shāmikh fī tafḍīl al-ḥaqq ᶜalā ʾl-ābā' waʾl-mashāʾikh* (Damascus: Maktaba Dār al-Bayān, n.d.), pp. 369-70 (hereinafter *al-ᶜAlam al-shāmikh*).

[33]Muḥammad b. Ibrāhīm Ibn al-Wazīr, *al-Rawḍ al-bāsim fī ʾl-dhabb ᶜan sunnat Abī ʾl-Qāsim*, Muḥammad ᶜAlāʾ al-Dīn al-Miṣrī (ed.) (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1999), p. 244 (hereinafter *al-Rawḍ al-bāsim*).

pernicious than the rationalist scholars themselves, because of their ḥadīth guise. This is an important point, which Haykel seems to have overlooked. Citing various statements of Shawkānī, Numsūk regards him as an unrestricted religious authority in jurisprudental matters (*furūᶜ*) and on the way of the Salaf in belief (*uṣūl*).[34] However, even this distinction does not do justice to Shawkānī's definition of himself. In at least two of the Yemeni biographies, that of his father and Ibn al-Wazir, he does not appear to make a distinction between worship (*ᶜibāda*) and belief (*ᶜaqīda*). About his father, he says: "He is one of the *awliyāᵓ* of Almighty Allāh and on the Salaf's way in all his matters", and about the Yemeni *mujtahids* he says: "They are on the Salaf's way in acting on what the Qurᵓān of Almighty Allāh and reliable Prophetic Sunna prescribe". Both statements, therefore, show that he did not distinguish between belief and worship, but seemed to prefer using the Salaf's way in a general sense.

There is enough evidence in Shawkānī's writings to prove that he regarded himself on the Salaf's way in both belief and worship. The many references he makes to the term Salaf in his works, especially his treatise on belief titled *al-Tuḥaf fī ᵓl-irshād ilā madhāhib al-Salaf* points to the extent of his Sunnī change-over. By campaigning for the Salaf's cause, a distinctly Sunnī feature, he directly opposed the imamate notion in the Shīᶜa doctrine. It would therefore not be unrealistic to assume that his changeover to Sunnīsm was complete and he considered himself on the *madhhab* of the Salaf. Perhaps the following words of Shawkānī will give the reader a more precise idea of how he viewed himself:

> …And if you should ask what is the safe path then? I reply: 'The way of the best of generations [Companions (*ra*)] then those who follow them [Successors (*r*)] and then those who follow them [Successors' Successors (*r*)] which is acting on the ruling of the Qurᵓān and Sunna and staying away from the ambiguous (*mutashābih*) verses as Almighty Allāh has commanded you without defending any *madhhab*. Your *madhhab* should be Islam and [following] your Pious Ancestors and

[34]See, ᶜAbd Allāh Numsūk, *Manhaj al-imām al-Shawkānī*, pp. 118-37.

> your defense of the Qurʾān and Sunna. If you are worthy of this advice then cling to it with your molars. I have spent half of my life exploring details and examining facts without finding a watering place (*mawrid*); sometimes I would delve into speculative theology (*maʿārik ʿilm al-maʿqūl*) and other times I engaged in the details of our great scholars of legal theory [*uṣūl al-fiqh*]. After all of this, my choice reversed to favoring that which I have guided you to. May the Almighty Allāh guide you and me.[35]

Shawkānī and politics

None of Shawkānī's works suggests that he had any political ambition. To the contrary, he saw himself as a scholar and a judge using the influence of politics to carry out Almighty Allāh's, *sharīʿa*. Like all his other religious leanings such as his belief and worship, he shaped his political thought on the way of the Salaf, which he argues brought about peace and stability for the Muslims. According to him, Genghis Khān[36] (d. 624/1226), the leader of the Tartars, contributed greatly to separating religion from politics in Islam and soon all the Islamic kingdoms and lands had accepted some of his guidelines. Shawkānī strongly regrets that the Muslims have accepted the political thought of Genghis Khān that sought to separate religion and state at the expense of the way of the Pious Ancestors where religion was the basis of politics and everything else. He says:

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[35]Muḥammad al-Shawkānī, *Wabl al-ghamām ʿalā Shifāʾ al-uwām*, Muḥammad Ṣubḥī Ḥallāq (ed.), 2 vols. (Cairo: Maktaba Ibn Taymiyya, 1995), vol. 1, p. 199.

[36]His name was Numrujī who claimed the name Genghis Khān after gaining great fame as the leader of the Tartars. He did not believe in any particular religion and, therefore, drew up his own political charter called Ilyāsan to govern his subjects. The origin of the word is *yāsa* and later the Egyptians first added an Arabic letter *sīn* until it became *siyāsa* meaning politics in Arabic. They then added the definite particle *al* and it became *al-siyāsa*. The later Tartar rulers, who came after Ghengis Khan, embraced Islam and applied the Qurʾān and Sunna to religious matters and Khān's political charter to politics. Cf. Muḥammad b. ʿAlī al-Shawkānī, *ʿAqd al-jumān fī shaʾn ḥudūd al-buldān wa mā yataʿallaqu bihā min al-ḍamān* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, Muḥammad Ṣubḥī Ḥallāq (ed.), 12 vols. (Sanaa: Maktaba al-Jīl al-Jadīd, 2002), vol. 8, pp. 3779-80 (hereinafter *ʿAqd al-jumān*).

> …See what his [i.e., Genghis Khān's] children and grandchildren, Tīmor and the Circassians [Mamlūks] and those like them did. Worldly trials started boiling like a cauldron and no one was guaranteed safety regarding his life, honor, and money. Now, look at the discipline brought about by the Prophetic rule and the condition of the Prophetic days, which were the origin of the *sharīᶜa* rulings [regarding peace and stability]. Then, also look at the Companions' [*ra*] rule [after the Prophet (*ṣ*) death] and those who followed his *sharīᶜa*, not those who abandoned that and followed un-Islamic politics. In brief, whoever ponders carefully about these matters, he sees and hears, knows without doubt and any delusion that Islamic politics and the Prophetic management [of state affairs] is the basis of religious and worldly virtue and the source of all prosperity of this world and the next. Anything other than this is the basis of all worldly and religious corruption and the source of all evil.[37]

Shawkānī had a particular world-view about politics, which he believed the Zaydī imamate should conform to. Thus, there would be no political intervention and religious compromise in the judgments of Almighty Allāh. Giving amnesty to certain people even if it meant the imam or his family is something he did not even remotely consider. Once, he resigned his post by sending his pens and writing utensils to the imam, al-Mahdī ᶜAbd Allāh, and left his court going home. He reacted in this way after one of the imam's relatives had unlawfully seized a house belonging to some poor people while another of the imam's relatives tried to intercede for the perpetrator. Incensed by this, Shawkānī resigned. On hearing this, the imam immediately went to his uncle's house and removed his cousin taking him to Shawkānī's court. Imam al-Mahdī called him to judge in the matter and only left after he witnessed the poor people receiving their house and Shawkānī reinstated as chief judge.[38]

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[37]Shawkānī, *ᶜAqd al-jumān*, pp. 3781-2.

[38]Muḥammad b. ᶜAlī b. Ḥusayn al-Akwaᶜ, *Ḥayāt ᶜālim wa amīr*, 2 vols. (Sanaa: Maktaba al-Jīl al-Jadīd, 1987), vol. 1, p. 61.

Besides judging in religious disputes, the post of *qāḍī al-quḍāt* brought along its own share of political influence. Once in office, Shawkānī acted as chief political adviser to the imam and had to act for the imamate both locally and internationally. Domestically, he was once charged with the responsibility of arbitrating between imam al-Manṣūr bi-Allāh ᶜAlī and his son Aḥmad after the imam's minister, the jurist Ḥasan b. Ḥasan al-ᶜUlufī, had abused his ministerial power. Shawkānī recounts in *al-Badr al-ṭāliᶜ* that the minister was guilty of not paying the soldiers properly and some other administrative abuse, which caused friction between him and Aḥmad. He says that he continuously warned the minister about his conduct, but the latter persisted because of his good standing with the imam. Soon, his negligence in giving the tribes of Bakīl their daily rations sparked off unrest around Sanaa, and they started committing acts of highway robbery, stealing, and murder. Later, some of the other tribes extended the unrest and with this state of affairs, Aḥmad gathered his companions and asked the minister to present himself to him. When the minister refused, he sent some soldiers to arrest him and some of his family. His father, Al-Mahdī, found these events distressing and wanted al-ᶜUlufī released. Because of this development, Aḥmad sent some soldiers to surround his father's palace and fighting broke out between the palace guards headed by Aḥmad's brother ᶜAbd Allāh. Imam al-Manṣūr bi Allāh ᶜAlī sent for Shawkānī to arbitrate. Shawkānī decided that from then onwards Aḥmad would run the affairs of the imamate acting as minister to his father while the arrested minister would stay in detention.[39]

The influence of Shawkānī further permeated Yemeni society with the pivotal role he played in trying to liberate his compatriots from paying unfair taxes to the imamate. Besides the religious obligation of having to pay the compulsory tax of Islam (*zakāt*), the Yemenis were further burdened by un-Islamic taxes such as *jibāya*, *qubāl*, *siyāsa*, *farqa* and *dufᶜa*, all of which Shawkānī regarded as unjust and oppressive taxes (*al-mukūs*). In an attempt to rid Yemeni society from this injustice, he wrote a critical poem to imam al-Manṣūr in which he addressed the issue. Only two or three months later,

[39]Shawkānī, *Badr*, p. 468-9 (biography324).

according to him, did the imam accept his persistent pleas to uphold justice and remove this injustice from the Yemeni people.[40]

In what appears to have been an ideal political opportunity for Shawkānī to carry out his mission of removing injustice from the Yemeni people, the imamate was faced with the political presence of the Najdīs in the Tihāma region through their Yemeni agent, *sharīf* Ḥamūd. With this precarious facing the imamate, Shawkānī advised al-Manṣūr: "that the best way to avoid this calamity [of Ibn Saᶜūd's ascendancy in the region] is to exercise justice between his subjects and to take [taxes] from them only what the *sharīᶜa* allows and nothing more". Furthermore, he advised the imam "to show sincerity in fulfilling that and announcing this to all his subjects with a show of strong resolve in continuing to do so". According to Shawkānī, this would suppress the Najdī influence in the Tihāma area since the local Yemenis only welcomed [*sharīf* Ḥamūd and his followers], because of what they have heard that they only take the obligatory tax (*zakāt*) and nothing else.[41]

In June 1807, Shawkānī was given the responsibility by al-Mansūr of drafting the decree known as 'Sunrise' (*Ṭulūᶜ al-shams*) according to Jaḥḥāf, another of Shawkānī's biographers, starting with the following words "The decree of imam al-Manṣūr to his provincial officials about taxation". The decree was signed by al-Manṣūr and circulated to all the provincial officials who, together with the local judges, had to read it out aloud before all the inhabitants of that area. Furthermore, they had to copy it in their own handwriting bearing their signature. The decree declared that all Yemenis, including the Tihāma region (Luḥayya, Hodeida, Bayt al-Faqīh and Zabīd) and the Zaydī highlands, were equal in their dues and responsibilities and they should only pay what God commanded. Any official asking more than that should be disobeyed. He would suffer the fate of being dismissed from his post by the imam and would be regarded as undeserving to hold the post and untrustworthy in performing his duties

[40]Muḥammad al-Shawkānī, *Dīwān al-Shawkānī aslāk al-jawhar waʾl-ḥayāt al-fikriyya waʾl-siyāsiyya*, Ḥusayn al-ᶜAmrī (ed.) (Damascus: Dār al-Fikr, 1986), pp. 233-5 (hereinafter *Dīwān*).
[41]Muḥammad al-Shawkānī, *Adab al-ṭalab wa muntahā al-arab*, ᶜAbd Allāh Yaḥyā al-Sarīḥī (ed.) (Beirut: Dār Ibn Ḥazm, 1998), pp. 108-9 (hereinafter *Adab al-ṭalab*).

(*laysa mustaḥiqqan lahā wa lā ma'mūn ᶜalayhā*). Shawkānī further used the decree as an opportunity to add that every judge in each area should send dependable and qualified men (*rijāl umanāᵓ ᶜārifīn*) to teach the people their religion.[42]

Acting on the advice of Shawkānī, al-Manṣūr started with sweeping reforms which included destroying the offices of the tax collectors, banning interest (*ribā*), abolishing the *marjūᶜāt* and *qubālāt* taxes as well as that of the market guarantors (*ḍumanāᵓ al-aswāq*). In a further show of sincerity, he distributed teachers throughout Yemen, stopped injustice by the police, discouraged prostitutes, and banished their pimps. These reforms, however, to the dismay of Shawkānī was short-lived and conditions in Yemen returned to its former state.[43]

On international affairs, Shawkānī acted as the imamate spokesperson and arbitrator. He described the decision by Muḥammad ᶜAlī Bāshā not to conquer the Yemeni lands after their first defeat of the Saudi regime as a Divine gift to the Yemenis. The entire Yemeni nation expected that Pasha's troops would overrun them. Instead, Bāshā sent his trustworthy representative Yūsuf Agha the Turk to negotiate with Shawkānī the terms for the safe return to the imamate of the Tihāma region (Luḥayya, Hodeida, Bayt al-Faqīh and Zabīd). Yūsuf mentioned that Pasha wanted some Yemeni coffee[44] delivered to the ruling Sultan's kitchen each year and an amount[45] for the Turkish/Egyptian army who restored their lands.[46]

Shawkānī and the Saudi regime

The eighteenth century witnessed several revivalists emerging in different parts of the Islamic world such as ᶜUthmān Don Fodio in Nigeria, Shah Walī Allāh in Delhī, Muḥammad b. ᶜAbd al-Wahhāb in Najd and Muḥammad b. ᶜAlī al-Shawkānī in

[42]Cf. Ḥusayn al-ᶜAmrī, *The Yemen in the 18th and 19th century*, (London: Ithaca Press, 1985), p. 120-1.
[43] Ibid., p. 121.
[44]The amount was 135 000 kg of coffee yearly. Cf. Ḥusayn al-ᶜAmrī, *Miᵓa ᶜām min tārīkh al-Yaman al-ḥadīth* 1161-1264 (Dār al-Fikr: Beirut, 1984), p. 224 (hereinafter *Miᵓa ᶜām*).
[45]This amount is believed to have been 200 000 French francs, cf. *Miᵓa ᶜām*, p. 224.
[46]Shawkānī, *Badr*, p. 886 (biography 595).

Yemen.[47] Of these movements, the Yemeni and Saudi movements stand out as having had much more in common than just sharing geographical borders. Earlier, we have learnt that Shawkānī had all but rejected Zaydīsm in favor of Sunnīsm and theologically, therefore, had much in common with his Saudi neighbors. Despite their likenesses regarding religious worship and creed which is their preference of a literalist reading of the sacred text, there has been no keen interest to research their similarities. Rather, there have been eager attempts to show their minor disagreements in the method of spreading the same doctrine.

Because of their close proximity, identical religious missions and Ibn Saᶜūd's[48] (d. 1229/1815) interest in the Tihāma region there existed, on the authority of Shawkānī, substantial interaction between the Najdīs and the imamate, on whose behalf Shawkānī acted. In *al-Badr al-ṭāliᶜ*, he has left behind crucial historical information, which can shed light on the political and doctrinal developments of the Najdī movement. Although this information is not exhaustive and is mostly scattered amongst the different biographical entries, his first-hand accounts of these events can, nevertheless, safeguard the reader of unknowingly subjecting himself to these historical inexactitudes.

In *al-Badr al-ṭāliᶜ* Shawkānī tells us that Ghālib b. Musāᶜid the *sharīf* of Mecca launched one attack after another on the Najd area controlled by Saᶜūd b. ᶜAbd al-ᶜAzīz. In one of his excursions, the last being in 1212/1798, he was heavily defeated and Saᶜūd took control of Mecca. Most of the surrounding Arabian Peninsula including Ṣaᶜda in Yemen came under his control and followed him either willingly or out of fear. Earlier, the Arabs only testified to faith without showing outward religious worship such as prayer and fasting, but now they started worshipping correctly by fulfilling their religious duties. Some of them, however, believed that whoever did not submit to the Najdī regime and obeyed Saᶜūd was not a Muslim. Shawkānī recounts the incident of *al-sayyid* Muḥammad b. Ḥusayn al-Murājil al-Kabsī, the Yemeni leader of

[47]Bernard Haykel, *Revival and Reform in Islam*, p. 1.

[48]Saᶜūd b. ᶜAbd al-ᶜAzīz b. Muḥammad b. Saᶜūd was the leader of his father's troops and after his father's death became the Najdī leader.

the pilgrims who met some of these fanatics claiming the Yemeni pilgrimage (*ḥajj*) delegation were disbelievers and insisted they should meet Saᶜūd who would verify their Islam. The Yemeni delegation, as al-Kabsī later recounted, managed to escape the intense interrogation of Saᶜūd with great difficulty.[49]

With the expanding Saudi dynasty, according to Shawkānī, Saᶜūd was accused of claiming whoever sought help from other than Almighty Allāh such as the dead are disbelievers and should be killed. He was further accused of claiming that whoever does not pray in congregation should be killed and that he shared the same belief as the seceders (Khawārij). In *al-Badr al-ṭāliᶜ*, Shawkānī expresses his doubts about the reliability of these accusations against the Najdī leader and specifically proves false the claim that Saᶜūd was a Khārijī. In his defense, Shawkānī argued, that Saᶜūd and all his followers had studied under Muḥammad b. ᶜAbd al-Wahhab, a Ḥanbalī scholar, who had studied the science of ḥadīth in Medina. After his return to Najd, he acted on the religious rulings of Ibn Taymiyya and his student Ibn al-Qayyim (d. 751/1350) and other Ḥanbalī scholars. Ibn ᶜAbd al-Wahhāb like his predecessors Ibn Taymiyya and Ibn al-Qayyim fervently opposed those who prayed via the dead to intercede on their behalf.

In 1215/1800 Saᶜūd sent two small treatises to imam Manṣūr bi-Allāh, ᶜAlī, one containing the essays of Muḥammad b. ᶜAbd al-Wahhāb and the other a refutation against some Yemeni scholars whom Shawkānī described as fanatics and lacking in knowledge. The essays of Ibn ᶜAbd al-Wahhāb were all directed at guiding towards correct faith and warning against disbelief. Shawkānī commented that his essays were textually supported by evidence from the Qurʾān and Sunna and describes his refutation of the Yemeni scholars who debated certain issues of belief with him as "unquestionable and confirmed answers showing that the answerer, Ibn ᶜAbd al-Wahhab, is one of the knowledgeable and authoritative scholars on the Qurʾān and Sunna". He continued: "He destroyed all their arguments and refuted everything they

[49]Shawkānī, *Badr*, pp. 524-5 (biography 366).

had written, because they were fanatics lacking in knowledge and their actions disgraced them and the scholars of Sanaa and Ṣaᶜda".[50]

In 1217/1802 Saᶜūd entered Abū ᶜArīsh and expanded his territory to include some part of the Tihāma region. The lands of Shām, Egypt, Iraq and Turkey, Shawkānī explains, shuddered at this invasion especially when Saᶜūd captured Mecca and expelled the *sharīfs* from it. In 1222/1807 a Saudi delegation visited Yemen with correspondences from Saᶜūd addressed to imam al-Manṣūr and Shawkānī with other delegations following in 1227/1812 and 1228/1813. Finally, in 1229/1814 Muḥammad ᶜAlī Bāshā attacked Mecca and captured the *sharīf* Ghālib.[51] The historical account of the eighteenth century events by Shawkānī clearly shows that he fully identified with, and supported the Najdī theological discourse of belief (*ᶜaqīda*), but at the same time politically disagreed with their invasion of the Yemeni lands.[52]

The impact of Shawkānī

Modern-day reformers such as Rashid Riḍā (d. 1353/1935) of Egypt have drawn much inspiration from the works and reformist efforts of Shawkānī. Riḍā, in praising Shawkānī's efforts, have compared him to the earlier scholars such as Ibn Ḥazm (d. 456/1063), Ibn Taymiyya, Ibn al-Qayyim and Ibn Ḥajar al-ᶜAsqalānī. In support of his claim, Riḍā mentions Shawkānī's *Nayl al-awṭār*, which is considered the most famous of his works. This legal text, styled on the ḥadīth scholars' approach to *fiqh*, as well as his other works such as *Fatḥ al-qadīr* have been worked into the curriculum of Islamic universities and religious institutions internationally. Another widely used legal text in the Sunnī world *al-sayyid* Sābiq's *Fiqh al-Sunna*, according to Bernard Haykel, is an abridgement of *Nayl al-awṭār*.[53]

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[50]Ibid.
[51]Ibid., p. 527.
[52]This information is based on a personal interview with the judge and eminent *muftī* in Sanaa, Muḥammad b. Ismaᶜīl al-ᶜAmrānī in December 2004, who regards himself as one of Shawkānī's third generation students.
[53]Haykel, *Revival and Reform in Islam*, p. 1, 207.

The spread of Shawkānī's *madhhab* to the rest of the Islamic world such as Egypt, Shām and India, according to al-Shijnī, was made possible by those who came to Yemen from all the corners of the Islamic world to study under him and receive certificates (*ijāzāt*) for his works. ᶜAbd al-Ḥaqq al-Banārisī b. Faḍl Allāh (d. 1276/1860) was commissioned by the Indian scholars (ulema) to copy Shawkānī's works and after successfully completing his studies with Shawkānī he received an *ijāza* from his teacher for his efforts. One of al-Banārisī's students was the famous Indian scholar, Muḥammad b. Ṣiddīq b. al-Ḥasan Khān al-Qannūjī (d. 1286/1890) who became attracted to Shawkānī's *madhhab* and was responsible for the spread of his literalist *madhhab* in India. Al-Qannūjī was also responsible for translating some of Shawkānī's works into his native language, abridging and writing commentaries[54] on some of his other works.

Shawkānī's reformist thought, however, has had a more lasting influence on Yemeni society through his generational students. These are his students who have studied with their teachers in a continuous chain that ends with those who studied directly under him. Ḥusayn al-ᶜAmrī, a second-generation student of Shawkānī and judge himself was fortunate enough to wield the same political power as Shawkānī during the reign of imam Yaḥyā Ḥamīd al-Dīn by acting as mediator between the Zaydīs and Ottomans. Reminiscent of Shawkānī's own tenure as grand *qāḍī* during the reign of the Qāsimī imams, al-ᶜAmrī was appointed as the president of the court of appeals (*al-maḥkama al-sharᶜiyya al-istiʾnāfiyya*) which included supervising all the judgments of the judges in Sanaa and the Zaydī highlands.[55] Another second-generation student of Shawkānī, *qāḍī* Yaḥyā al-Iryānī was appointed as judge in the city of Ibb by imam Yaḥyā in 1919 after which he was dismissed in 1926 because of a dispute with the strict Hādawī governor of Dhamār *al-sayyid* ᶜAbd Allāh b. Aḥmad al-Wazīr (d. 1948). Then in 1931, imam Yaḥyā appointed him as a member of the Sanaa court of appeals. Two years later, al-

[54]Khān has written his own commentary *al-Rawḍa al-nadiyya* on Shawkānī's *fiqh* manual *al-Durar al-bahiyya.*

[55]Muḥammad Zabāra, *Nuzha al-naẓar fī rijāl al-qarn al-rābiᶜ ᶜashar*, (Sanaa: Markaz al-Dirāsāt waʾl-abḥāth al Yamaniyya, 1979), pp. 265 (hereinafter *Nuzha al-naẓar*); Cf. Haykel, *Revival and Reform in Islam*, pp. 198-9.

Iryānī became president of the appeals court until his death in 1943.[56] More recently, after the revolution of September 1962, *qāḍī* Muḥammad b. Ismāᶜīl al-ᶜAmrānī, a third generation student of Shawkānī, has had the opportunity to involve himself in Yemeni politics on the highest level and was offered the position of grand judge of Sanaa by the president, which he has modestly refused.

Not wishing to distance himself from politics altogether, because he believes this poses a danger to the *sharīᶜa*, al-ᶜAmrānī has taken the position of sitting on the ulema advisory council to the Yemeni Republic as well as being head of removing unjust exactations (*rafᶜ al-maẓālim*) in the office of the president. This duty in the books of jurisprudence (*fiqh*) exceeds the jurisdiction of the ordinary judge and includes overseeing the president's conduct, supporting him if he is fair to his subjects, and removing him if he is not. Sadly, al-ᶜAmrānī regrets the ulema, with the new system of democratic voting, have been continually outvoted in religious issues "and we have not been able to do anything for Islam or our people [the Yemenis] because the non-ulema [within the council] voted collectively against us in every issue".[57] Although faced with the new challenges of democracy, Shawkānī's later generational students such as al-ᶜAmrānī have emulated him by suggesting with the formulation of the unified Yemen that the following should be written at the beginning of the Yemeni constitution: "Anything of the content of this constitution that contradicts the *sharīᶜa* is invalid".[58]

His works

Having written in the diverse sciences of ḥadīth, Qurʾānic commentary (*tafsīr*), jurisprudence (*fiqh*), history (*tārīkh*), poetry (*shiᶜr*) and literature (*adab*) amongst others, Shawkānī had earned a place among the literary greats of Islam. In the sum total of these writings, he had aimed at reforming the Muslim *umma* through his call for renewed *ijtihād* in every place and time. The following is a list of his works:

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[56]Muḥammad Zabāra, *Nuzha al-naẓar*, p. 635; Cf. Haykel, *Revival and Reform in Islam*, p. 200.

[57]ᶜAbd al-Raḥmān Sulaymān al-Aghbarī, *al-Qāḍī al-ᶜallāma Muḥammad b. Ismāᶜīl al-ᶜAmrānī* (Sanaa: Maktaba al-Irshād, 2002), p. 232 (hereinafter *al-Qāḍī*).

[58]al-Aghbarī, *al-Qāḍī*, p. 235.

1. *Adab al-ṭalab wa muntahā al-arab* (The Discipline of the Quest and the Ultimate Goal) is Shawkānī's educational manual in which he relates his own experience in the field of education as well as gives advice about education. In it he argues against *taqlīd*, but emphasizes sincerity, objective justice (*inṣāf*) and objectivity towards any *madhhab* or scholar. Furthermore, he outlines the different stages of *ijtihād* and what the scholar needs of the Islamic sciences for each stage. He completed this work shortly after 1807.

2. *Al-Badr al-ṭāliᶜ bi-mahāsin man baᶜda al-qarn al-sābiᶜ* (The Rising Moon Illuminating the Good Deeds of those who came after the 7th Century) contains biographical information of six hundred and ten Yemeni and non-Yemeni personalities. With this biographical dictionary he wanted to prove that the door of *ijtihād* never closed and there had continually existed *mujtahids* after the seventh/thirteenth century. He completed this work within a period of four months in 1213/1702 but continued to add information for about another decade.

4. *Darr al-saḥāba fī manāqib al-ṣahāba waʾl-qarāba* (The Abundant Clouds Regarding the Virtues of the Companions and the Prophetic Family). In this work he deals with the virtues of the Prophetic family (*Ahl-al-Bayt*) and Companions (*ra*) amounting to 184 personalities in total and draws on 1500 ḥadīth to confirm their virtue. He composed this work in 1241/1826.

5. *Dīwān al-Shawkānī aslāk al-jawhar waʾl-ḥayāt al-fikriyya waʾl-siyāsiyya fī ᶜāṣrih* is Shawkānī's poetry that was collected by his son Aḥmad. It consists of long and short poems and totals more than 2600 verses covering praise (*madḥ*), censure (*dhamm*), self-glorification (*fakhr*), criticism (*naqd*) and politics (*siyāsa*).

6. *Fatḥ al-qadīr al-jāmiᶜ bayna fannay al-riwāya wa'l-dirāya min ᶜilm al-tafsīr* (Victory of the Almighty Combining Between the Sciences of Transmitted and

Cognitive sciences of Qurʾānic Interpretation). This is his commentary on the Qurʾān (*tafsīr*) that he completed over a period of six years 1223-9/1808-14.

7. *al-Fawāʾid al-majmūʿa fī ʾl-aḥādīth al-mawḍūʿa* (The Sum of Beneficial Things about the False Traditions) is a collection of fabricated ḥadīth.

8. *Irshād al-fuḥūl ilā taḥqīq al-ḥaqq min ʿilm al-uṣūl* (Guidance for the Luminaries to Achieving the Truth in the Science of Principles of Law). This is a work dealing with the principles of *fiqh.*

9. *Kitāb al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī* (Victory of The Lord Consisting of the Religious Verdicts of Imam al-Shawkānī). The rest of his works are to be found in *al-Fatḥ al-rabbānī* and consists of 214 long and short treatises and *fatwās* including; *al-Durr al-naḍīd*, *al-Qawl al-mufīd*, *Irshād al-ghabī*, *al-Darāri al-muḍiyya*, *al-Ṣawārim al-ḥidād* and *al-Tuḥaf fī ʾl-irshād ilā madhāhib al-Salaf.*

10. *Nayl al-awṭār fī sharḥ muntaqa al-akhbār* (Attaining the Aims in Commenting on the Choicest Traditions) is a legal manual based on his commentary on the ḥadīth collection, *Muntaqā al-akhbār* of ʿAbd al-Salām b. Taymiyya (d. 652/1254) which he completed in 1210/1795

11. *Qaṭruʾl-walī ʿalā ḥadīth al-walī* (The Later Clarification on the Tradition of the Walī). This is his commentary on the ḥadīth of the *walī*, which deals with the concept of *wilāya* in Islam and is the basis of this research. He finished this work in 1235/1820.[59]

12. *al-Sayl al-jarrār* (The Raging Torrent). The title signals Shawkānī's intent in dealing with the famous Zaydī *fiqh* manual, *al-Azhār* (The Flowers], of imam

[59]According to Ḥusayn al-ʿAmrī, the editor of *Qaṭruʾl-walī*, Ibrahīm Hilāl, has mistakenly given the date Shawkānī has finished this work as 1239/1824, cf. Ḥusayn al-ʿAmrī, *al-Imām al-Shawkānī rāʾid ʿaṣrih* (Beirut: Dār al-Fikr, 1990), p. 347.

Aḥmad b. Yaḥyā al-Murtaḍā, which he wrote while he was imprisoned. In his critique of *al-Azhār*, Shawkānī accepts that which is textually sound, rejects that which is not, and sometimes offers his own opinion. He completed this work in 1235/6-1819/20

13. *Tuḥfat al-dhākirīn* (The Gratuitous Gift of the Rememberers) is a commentary on Muḥammad al-Jazarī's (d. 833/1429) *al-Ḥuṣn al-ḥaṣīn* that deals with spiritual invocations and the manner of performing them.

14. *Wabl al-ghamām* (Torrent of the Clouds) is a legal critique of another Zaydī legal work titled *Shifāʾ al-uwām* by al-Ḥusayn b. Badr al-Dīn al-Yaḥyāwī al-Harawī (d. 662/1263).

3. The Sufi and Salafi polemics in Yemen

The one who boasts with that which he has not received, is like someone who wears two garments of lies.

Bukhārī and Muslim[1]

Zaydīsm penetrated Yemeni society in the third/ninth century when the founder of the Zaydī state in Yemen, imam al-Hādī ilā al-Ḥaqq Yaḥyā b. al-Ḥusayn (d. 301/913) was summoned by the Yemeni tribal leaders to act as mediator in their disputes. After the Zaydīs settled in the rugged northern Yemeni highlands, they controlled the region, which included the cities of Dhamār, Ṣaᶜda and Sanaa where they were able to survive for nearly a thousand years until the 1960's. Further south the Zaydī imamate had to contend with several foreign invasions of Yemen, because of the greater economic viability of the coastal plain and southern highlands.[2] One such dynasty, the Rasūlids (r. 632-858/1234-1454), emerged in southern Yemen when Nūr al-Dīn ᶜUmar b. Rasūl (d. 647/1249), the deputy to the Ayyūbid ruler, staged a coup in the absence of Malik al-Masᶜūd, the Ayyūbid ruler of Yemen, who left for Mecca in 628/1228 and never returned. The expected Ayyūbid replacement's failure to arrive from Cairo, gave Nūr al-Dīn the opportunity to declare his independence from Cairo.[3]

Historical reports will confirm that before the introduction of speculative theology into Islamic teachings in Yemen there were hardly any notable disputes between the literalist jurists and speculative Sufis. Philosophy as it appears, and especially the introduction of Ibn ᶜArabī's speculative doctrine of Unity of Being (*waḥdat al-wujūd*), caused a rupture in medieval Yemeni society, which brought the jurists and Sufis in direct conflict with each other. ᶜAbd Allāh al-Ḥabshī, the Yemeni historian, believes that the Sufi and Salafi dispute reached its climax during the Rasūlid reign and for the sake of our study we therefore have to turn our attention to this period.

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[1] *Bukhārī*, *Nikāḥ*, ch. 106 (ḥadīth 5219); *Muslim*, *Libās*, ch. 35 (ḥadīth 126-7); *Abū Dāwūd*, *Adab*, ch. 91 (ḥadīth 4997).

[2] Jeffrey R. Meissner, *Tribes*, pp. 23-6. For a detailed history of Zaydīsm, cf. David Thomas Gochener 111, *The Penetration of Zaydī Islam into Early Medieval Yemen*, Ph.D. thesis, Cambridge, Massachusetts, Harvard University, 1984.

[3] Alexander D. Knysh, *Ibn ᶜArabi in the Later Islamic Tradition: The Making of a Polemical Image in Medieval Islam* (Albany: State University of New York Press, 1999), pp. 229-30.

According to al-Ḥabshī's version of events, the eighth/fourteenth century marked the beginning of the Yemeni-led coalition of the *fuqahāʾ* against the Sufis. The Shīʿa Zaydī, speculative Ashʿarī, and literalist Ḥanbalī *madhhabs* of Yemen suddenly faced a common enemy in the Sufis, which caused them to bury their doctrinal disputes in an attempt to direct all their efforts against the common foe.[4] Al-Ḥabshī insists that the Sufis' use of speculative theology (*kalām*) in their teachings provoked strong criticism from the Yemeni jurists who were concerned that they had strayed from their original goal of religious asceticism, which therefore caused them to clash with the clear Prophetic practices.[5] He further tells us that the Yemenis were exposed to speculative Sufism via the works of the famous Sufi philosopher Ibn ʿArabī whose teachings appeared in Yemen during the middle of the seventh/thirteenth century through the efforts of ʿUmar b. ʿAbd al-Raḥmān b. Ḥasan al-Maqdisī (d. 688/1289).[6]

Not everyone shares al-Ḥabshī's opinion of the reasons surrounding the polemical debate in Yemen, and Alexander Knysh describes the arrival of Ibn ʿArabī's doctrine in Yemen and is convinced that:

> The ascendancy of Sufi teachings and practices in the Yemeni cities triggered several anti-Sufi campaigns that were instigated by the influential jurists (*fuqahaʾ*) and preachers (*khutabaʾ*) who presented themselves as defenders of Islam's "purity" against Sufi "innovations"... The Yemeni polemicists were not always driven by a disinterested concern for the correctness of faith. Many of them had more mundane axes to grind, especially after they had realized that the Sultan's support of the Sufi faction effectively barred those not affiliated with it from royal favors and high administrative posts. Again, as in the preceding

[4]ʿAbd Allāh al-Ḥabshī, *al-Ṣūfiyya waʾl-fuqahāʾ fī ʾl-Yaman* (Sanaa: Maktaba al-Jīl al-Jadīd, 1976), pp. 97-106 (hereinafter *Ṣūfiyya*).
[5]al-Ḥabshī, *Ṣūfiyya*, p. 86.
[6]Knysh, *Ibn ʿArabī*, p. 233.

> chapters, the Yemeni debates over Sufism's orthodoxy present a familiar admixture of self-interest and a pragmatic prosecution of one's interest.[7]

Apart from their diverse interpretation of the same events, both al-Ḥabshī and Knysh however agree that the speculative teachings of Ibn ᶜArabī directly influenced the dispute which lasted for centuries. A clash between the two sides, therefore, was unavoidable. Al-Ḥabshī's recollection states that matters came to a head when the jurist, Aḥmad b. ᶜAbd al-Dā'im al-Ṣafī (d. 707/1307), debated with his teacher, Ibn al-Bāna,[8] the assistant to al-Maqdisī at the religious college of Umm al-Sulṭān in Taᶜizz, about the createdness of the Qurᵓān and other philosophical issues. Outraged by his teacher's scandalous beliefs, Ibn al-Ṣafī alerted his colleagues, the jurists, who agreed to meet at the house of the chief jurist Abū Bakr b. Ādam al-Jabartī.

Whether in anticipation of a widespread disbelief among the masses, because of this novel innovation, according to al-Ḥabshī, or self-interest, according to Knysh, the jurists nevertheless plotted the assassination of al-Maqdisī and his assistant, Ibn al-Bāna that would happen during the Friday Jumuᶜa congregational prayers. It was not long before the two knew about the plot and asked the prince al-Ashraf (d. 778/1376) to intervene. He gladly obliged the two Sufis and provided them with armed guards while his father, the Sultan al-Muẓaffir (d. 694/1294), sent the jurists an angry reprimand threatening them with death if they did not stop from threatening social stability. Faced with this royal reprimand, the jurists silently withdrew and the first confrontation between the two sides, according to al-Ḥabshī, ended in this way.[9] With the death of Abū al-ᶜAtīq Abū Bakr b. al-Ḥazzāz al-Yaḥyawī (d. 709/1309), another prominent Sufi, according to Knysh, the doctrine of Ibn ᶜArabī temporarily disappeared in Yemen.[10]

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[7]Ibid., pp. 233-4.
[8]There exists some confusion about his name in the Yemeni sources and he is sometimes referred to as Ibn al-Nabaᵓ, Ibn al-Yāba, Ibn al-Bāba and Ibn al-Tāᵓih, cf. *Ṣūfiyya*, p. 111.
[9]al-Ḥabshī, *Ṣūfiyya*, pp. 111-6; Knysh, *Ibn ᶜArabi*, pp. 238-9. For Knysh's disagreement with al-Ḥabshī's view see *Ibn ᶜArabi*, pp. 239-41.
[10]Knysh, *Ibn ᶜArabi*, p. 241.

The speculative Sufis of Zabīd

The last quarter of the eighth/fourteenth century saw the revival of Ibn ᶜArabī's speculative doctrine in the city of Zabīd. Several key Sufi figures such as Ismāᶜīl al-Jabartī (d. 806/1403), Aḥmad b. al-Raddād (d. 821/1418), ᶜAbd al-Karīm al-Jīlī (d. 832/1428), Majd al-Dīn al-Fayrūzabādī (d. 817/1414) and Aḥmad b. al-Kirmānī (d. 845/1441) emerged as defenders of Ibn ᶜArabī's speculative doctrine. Speculative Sufism soon spread in Zabīd, the hometown of al-Jabartī, who enjoyed royal protection as the personal confidant of the Sultan, al-Ashraf Ismāᶜīl, where the Sufi festivities and musical sessions (*samāᶜ*) enjoyed great popularity. Reading the *Futūḥāt al-Makkiyya* and the *Fuṣūṣ al-ḥikam*, Ibn ᶜArabī's primary works, became a standard text for al-Jabartī's followers (*murīds*).[11] Such was his influence on al-Ashraf, that he ordered him to exile one of his fiercest critics, the jurist *shaykh* Ṣāliḥ al-Miṣrī, to India.[12]

Other jurists such as the famous scholar and *muftī* Aḥmad al-Nāshirī (d. 815/1412) and his teacher Abū Bakr b. Muḥammad al-Khayyāṭ (d. 811/1408) fiercely continued to oppose al-Jabartī. Shawkānī informs us that al-Nāshirī's efforts to change the Zabīdī Sufis' religious extravagances bore no fruits, because by then they had a close ally in the Sultan.[13] Al-Nāshirī intensified his polemical attacks and wrote a treatise titled *Bayān fasād iᶜtiqād Ibn ᶜArabī* (Exposing Ibn ᶜArabī's Corrupt Belief)[14] aimed at exposing the grand master. His continuous public criticism of the Sufis caused them to complain to the Sultan who sent him a royal reprimand warning him against doing so.[15] Despite the jurists' condemnation of Ibn ᶜArabī's beliefs, al-Nāṣir extended his protection and support for the Sufis after succeeding his father al-Ashraf.[16]

[11]Ibid., p. 242.
[12]Shawkānī, *Badr*, p. 156 (biography 86); Cf. Knysh, *Ibn ᶜArabi*, p. 252.
[13]Ibid.
[14]al-Ḥabshī, *Ṣūfiyya*, p. 99.
[15] Knysh, *Ibn ᶜArabī*, p. 257.
[16] al-Ḥabshī, *Ṣūfiyya*, p. 129.

On one famous occassion, he posed a question to the jurists about the permissibility of reading Ibn ᶜArabī's *Fuṣūṣ* and *Futūḥāt* and listening to them. Ibn al-Khayyāṭ responded on behalf of the jurists condemning Ibn ᶜArabī's books for intellectual consumption and in the process contradicted al-Fayrūzabādī's positive response for the Zabīdīs. The unwelcome *fatwā* of Ibn al-Khayyāṭ provoked three non-Yemeni responses; *al-Ightibāṭ li-muᶜālajat Ibn al-Khayyāṭ* (The Delight of Curing Ibn al-Khayyāṭ) by al-Fayrūzabādī, *al-Durr al-thamīn fī manāqib al-shaykh muḥyī al-Dīn* (The Precious Pearls Defining the Virtues of the Reviver of Faith) by Ibrāhīm al-Qārī and another unidentified response by Muḥammad b. ᶜAlī al-Shībī. These three polemical responses give a clear indication to the extent of the non-Yemeni scholars' participation in the dispute.[17]

During the year 800/1397 the ḥadīth critic and commentator, Ibn Ḥajar al-ᶜAsqalānī, visited Zabīd and met al-Fayrūzabādī during his stay. Although the sources do not specify who informed him, he nevertheless learnt about the dispute between al-Fayrūzabādī and Ibn al-Khayyāṭ, the two leading Yemeni intellectual figures of their time.[18] Ibn Ḥajar described al-Fayrūzabādī in the following way: "I do not suspect him of holding the same views as Ibn ᶜArabī. He, however, liked to please others [i.e., the Sultan]".[19] The chief judge's motives were also called into question by the Yemeni jurist Ismāᶜīl Ibn al-Muqrī[20] (d. 837/1433) who remarked: "When he arrived in Yemen and found the power favored the Sufis, he supported them in whatever they wanted".[21] Despite al-Fayrūzabādī's great religious and linguistic skill, al-Ḥabshī regards his decision to side with the Sufis as a weakness of character and a major setback for the beleaguered Yemeni jurists. He further argues that some of the jurists were victims of the political setup in Yemen after accepting key posts, such as Shams al-Dīn al-Ṣaqr

[17]Ibid., pp.130-1.
[18]Knysh, *Ibn ᶜArabi*, p. 254.
[19]al-Ḥabshī, *Ṣūfiyya*, p. 126; cf. Knysh, *Ibn ᶜArabi*, p. 254.
[20]Ismāᶜīl b. Abī Bakr b. ᶜAbd Allāh better known as al-Muqrī was a Shafiᶜī jurist and an eloquent poet who favored himself for the post of *qāḍī al-quḍāt* during the lifetime of al-Fayrūzabādī and even more so after his death. Shawkānī mentions that al-Ashraf appointed him as the Yemeni ambassador to Egypt after al-Fayrūzabādī's death, which he declined in the hope of his appointment as grand *qāḍī*. Cf. Shawkānī, *Badr*, pp. 158-9 (biography 89).
[21]al-Ḥabshī, *Ṣūfiyya*, p. 125.

who accepted the post of *qāḍī al-quḍāt*. As in al-Fayrūzabādī's case, al-Ṣaqr responded positively to the Sultan when asked about the religious ruling of *samāᶜ*.[22]

After the death of al-Fayrūzabādī the Sultan, al-Nāṣir was anxious to appoint Ibn Ḥajar as the grand *qāḍī* of Yemen. His failure to take up the offer left the post vacant for some time, after which al-Nāṣir turned his attention to the two main Yemeni contenders. Backed by most of the jurists Ibn al-Muqrī emerged the obvious challenger, but by now the Rasūlid dynasty's involvement in the Sufi-Salafi polemics heavily favored the Sufis. Nominating a candidate of their own, the Sufis proposed Ibn al-Raddād, the successor to al-Jabartī at the head of the Sufis movement. Ibn al-Raddād's chances received a further boost with two important recomendations in his favour, that of his mentor al-Jabartī and al-Fayrūzabādī who suggested to the Sultan his own preference of having Ibn al-Raddād as his successor.

After his appointment Ibn al-Raddād like his predecessor, al-Fayrūzabādī, received even more severe criticism from Ibn Ḥajar who lashed out at him saying:

> He wrote much poetry and prose in which he propagated this manifest delusion until he completely corrupted the faith of the inhabitants of Zabīd, except those whom God protected. His poetry and prose bleat with unification [with God].[23] Sufi reciters learnt his poems by heart and sang them at Sufi festivals in hopes of achieving through them proximity with God.[24]

The fierce rivalry between the Sufis and the *fuqahaᵓ* continued with Ibn al-Raddād and Ibn al-Muqrī taking centre stage. Here, however, the dispute digressed into a more personal battle between the two, since Ibn al-Muqrī fancied himself for the post of

[22]Ibid., p. 127.
[23]The disinterest of Ibn Ḥajar in religious and political power clearly indicates that Knysh's criticism of the Yemeni jurists' motives of self-interest is somewhat harsh. The jurists' fears of speculative Sufism appears genuine although one cannot discount that certain individuals amongst them saw this as an ideal opportunity for seeking favor with the rulers.
[24]Knysh, *Ibn ᶜArabi*, p. 248.

grand *qāḍī*, and in the words of al-Mizjājī, Ibn al-Raddād's successor, the poet attacked the doctrine of Ibn ᶜArabī in the hope of discrediting Ibn al-Raddād and the Sufis. With the Sultan's consent, Ibn al-Muqrī gathered all the ecstatic utterances (*shaṭaḥāt*) in the *Futūḥāt* and *Fuṣūṣ* which clashed with the *sharīᶜa* and presented them to the jurists for their verdict. Most of them, as expected, agreed with him and declared the Sufis apostates.[25]

When Ibn al-Raddād heard about the anti-Sufi campaign and the resulting mass riots in Zabīd and the other Yemeni towns, he sought the help of al-Nāṣir to punish his opponents. As in the case of al-Jabartī, Ibn al-Raddād was not shy to use the political power at his disposal to deal with his opponents. His response was brutal; the Sultan's forces beat some of the jurists, some of them had their houses demolished, others were threatened and yet others were imprisoned, while some of them had to retract their verdict by force. Because of his great stature in Yemeni society, Ibn al-Muqrī was spared this humiliation.[26] The Yemeni historian, al-Ahdal, remarked that it is only the timely death of Ibn al-Raddād in 821/1418, which saved the jurists from an even more humiliating fate.[27]

The tension between the two sides subsided somewhat after the death of Ibn al-Raddād and no further violent confrontations erupted between them, especially after Muḥammad b. Muhammad al-Mizjājī (d. 829/1425), the long time friend of Ibn al-Muqrī and Ibn al-Raddād's protégé, took over as head of the Yemeni Sufis. Despite their close friendship, al-Mizjājī wrote a voluminous work, *Hidāya al-sālik ilā asnā al-masālik* (Guiding the Wayfarer to the Most Sublime Path) directed at his friend, which he finished a few months before his mentor's death. Famous for his mastery at poetry, Ibn al-Muqrī dismissed his friend's proofs as fables and myths in several poems in a reply of his own.[28] To counter the poetic challenge of Ibn al-Muqrī, the Sufis used the

[25]al-Ḥabshī, *Ṣūfiyya*, pp. 138-9.
[26]Ibid., p. 143.
[27]Knysh, *Ibn ᶜArabi*, p. 261.
[28]al-Ḥabshī, *Ṣūfiyya*, p. 145, 147.

services of Yaḥyā Ibn Rawbak (d. 835/1431), an acclaimed poet, writer and jurist, whose poetic praise for al-Nāṣir had earned him royal protection.[29]

The collective efforts of Ibn Rawbak, al-Mizjājī and another Sufi of Persian origin, al-Jīlī, led to Ibn al-Muqrī's persecution by al-Nāṣir.[30] Like all the other visiting Sufis to Yemen, al-Jīlī enjoyed royal honor, protection and support, and insisted that the Sultan act against the audacious poet. In doing so, he highlighted that the *fuqahāʾs* anti-Sufi campaign could lead to a possible revolt against the Sultan. Al-Nāṣir took heed of his advice and sent his troops to raid Ibn al-Muqrī's house, but the poet had secretly fled Zabīd seeking protection from the scholars of the ᶜUjayl tribe in the sacred village of Bayt al-Faqīh. After less than one year in exile, the Sultan pardoned the poet in what can be seen as a political move to prevent his possible alliance with the Rasūlid's chief political rival, ᶜAlī b. Ṣalāḥ al-Dīn the Zaydī imam of Ṣaᶜda.[31]

Once back in Zabīd, Ibn al-Muqrī lamented some of the jurists who had deserted him during his ordeal in the following verse: "I stood alone among you calling [to the truth]/None of you answered or jumped to help me". During his absence from Zabīd, some of the jurists decided to switch sides and issued their own *fatwās* disproving the ones he earlier collected against the Sufis. It is for them that the poet reserved his severest criticism in addressing the Sultan: "Do not listen to the verdict of the men of desire (*hawā*)//They committed a crime which suited them".[32]

The death of al-Nāṣir in 829/1425 who had openly sided with the Sufis towards the end of his life, signalled a welcome change to the fortune of the beleaguered jurists. His successor and son, al-Manṣūr ᶜAbd Allāh (d. 830/1426) broke with the Rasūlid policy of supporting the Sufis, and backed the jurists instead in a political move to stabilize his own rule.[33] With the Sultan now firmly supporting the jurists, Ibn al-Muqrī seized the

[29]Knysh, *Ibn ᶜArabi*, p. 262.
[30]al-Ḥabshī, *Ṣūfiyya*, pp. 149-50.
[31]Knysh, *Ibn ᶜArabi*, p. 264.
[32]al-Ḥabshī, *Ṣūfiyya*, p. 152.
[33]Knysh, *Ibn ᶜArabi*, p. 264.

opportunity to intensify his attacks against the Sufis, and specifically the last Sufi thinker, al-Kirmānī. From Ibn al-Muqrī's poetic diatribe, it is clear that he accused the Sufis of inexcusable heresies:

> And you said that Almighty Allāh, Great is His Majesty
> Needs His creation through necessity
> If this is the belief of al-Kirmānī
> Then he sees no difference between worshipping Almighty Allāh and idols
> Comparing Him with his creation is [clear] ignorance
> And you say His [worship] is similar to the worship of stones.[34]

According to Ibn al-Muqrī, al-Kirmānī further defamed the Prophets (*as*) by claiming that the Prophet Mūsā (*as*) acted in haste whereas pharaoh displayed patience. Al-Muqrī also accused him of criticizing the Prophet Ibrāhīm (*as*) of believing and almost carrying out his dream of slaughtering his son Ismāʿīl (*as*).[35] Without the protection of his influential friend, al-Mizjājī, who died in 829/1425 and was the main reason the poet could not win the new Sultan over to act against him, al-Kirmānī had to face the onslaught of the jurists alone.[36] This time, however, Ibn al-Muqrī succeeded in convincing al-Manṣūr to act against the Sufi. In a reversal of fate, al-Kirmānī suffered the same fate which the Sufis had inflicted on the poet: his house was raided, his possessions were confiscated, and he only escaped death through the timely intervention of one of the princes. Ironically, he fled the city of Zabīd seeking refuge with the same tribe of holy men in the village of Bayt al-Faqīh as his opponent had done.[37]

The patience of al-Kirmānī in exile was short-lived and he soon returned to Taʿizz after which Ibn al-Muqrī immediately called for a scholarly consensus declaring him an

[34]al-Ḥabshī, *Ṣūfiyya*, p. 158.
[35]Ibid., p. 157.
[36]Knysh, *Ibn ʿArabi*, pp. 264-5.
[37]al-Ḥabshī, *Ṣūfiyya*, p. 159.

apostate. Another scholar visiting Yemen on the Sultan's request at the time,[38] the ḥadīth scholar and Qurʾānic reader Muḥammad Ibn al-Jazarī (d. 834/1430), added his voice to that of the jurists and Ibn al-Muqrī presented these condemnatory *fatwās* to al-Manṣūr who called for the Sufi's trial. During al-Kirmānī's trial, he repented and returned to Islam. As a sign of his sincerity, the jurists asked him to distance himself from Ibn ʿArabī's works and to draft a document stating his repentance, which was read before the Friday Jumuʿa congregational prayers on the pulpits in the mosques of Zabīd and Mahjam. Adding further humiliation to al-Kirmānī's lot, the Sultan exiled him to al-Jīzān in Mecca until the Sultan's death in 830/1426.[39] Al-Kirmānī's humiliation signalled the precarious position the Sufis now found themselves in. Their once bold expression of their beliefs had now been drastically reduced to doing so in private gatherings.

With the death of al-Manṣūr, in 830/1426 and the resulting political upheaval, the exiled Sufi returned to Zabīd and to his old ways. The inexperienced Sultan, al-Ashraf Ismāʿīl (r. 830-831/1426-1427) who was only twelve years old at the time, became a victim of the more experienced al-Kirmānī, who, in al-Ḥabshī's opinion, used his strong relationship with his father, al-Nāṣir, to win him over. During al-Ashraf's short reign that lasted less than a year, because of the political intrigues of the Rasūlid princes aspiring to the throne, al-Kirmānī wrote a short work wherein he retracted his earlier repentance and openly declared his belief of Unity of Being (*waḥdat al-wujūd*). The poet responded with a reply of his own and derided al-Kirmānī in several of his poems reminding him of his fear of execution:

> Did you not repent while the sword was drawn [from its sheath]?
> And your eyes turned [in its sockets] because of intense fear
> And the scholars and rulers gathered
> On this great day and spectacle
> They all declared your death is necessary

[38]Knysh, *Ibn ʿArabi*, p. 265.
[39]al-Ḥabshī, *Ṣūfiyya*, pp. 159-61.

By sparing you the people have erred greatly
You were declared an apostate from the pulpits
In the [Friday] gatherings publicly
You repented reluctantly fearing the sword
What safeguards you now causing you return to disbelief?[40]

The brief reign of al-Ashraf ended with his imprisonment by a group of rebellious mercenaries when he failed to pay their salaries. He was succeeded by his uncle, Yaḥyā b. Ismāᶜīl (r. 831-842/1427-1438), who took the title of al-Ẓāhir.[41] At the instigation of Ibn al-Muqrī, the Sultan took swift action against al-Kirmānī and the Sufi found himself banished from Zabīd once more. Once again, he had to flee to the village of Bayt al-Faqīh for almost one year. There, he spread his teachings among the locals and gathered a group of about fifty followers around him. It was not long before al-Kirmānī staged his return to the city of Zabīd only to find his longstanding opponent urging the Sultan to execute him. The Sufi was summoned to a special council of the jurists held in Zabīd where he was given the choice to either repent or face execution. What further compounded his problems was his alleged involvement in plotting a coup against the Sultan with al-ᶜAbbās b. Ismāᶜīl, one of the Rasūlid princes. When the plot failed, al-Kirmānī escaped with his life through the intervention of Ibn Rawbak who used his influence with the royalty to plead for the Sufi's life. Al-Kirmānī fled to al-Jīzān where he remained inconspicuous until his death.[42]

At the death of al-Kirmānī in 841/1437, the doctrine of Ibn ᶜArabī rapidly declined in Yemen and was eclipsed by popular Sufism, that is, the formalized Sufi movements (*ṭuruq*). This, however, does not mean that Ibn ᶜArabī's doctrine of Unity of Being (*waḥdat al-wujūd*) disappeared completely from Yemeni social life as can be gleaned from the later Salafi writers such as Shawkānī who devoted a whole treatise to refute the grand master's philosophies. The lion's share of his condemnation which we shall touch on later, however, he directed at "a group of people whom he calls the

[40]Ibid., pp. 161-2.
[41]Knysh, *Ibn ᶜArabi*, p. 267.
[42]al-Ḥabshī, *Ṣūfiyya*, pp. 164-6.

qubūriyyūn, that is, believers in the dead (*ahl al-qubūr*), who venerate dead saints by visiting their tombs and pursuing reprehensible acts while there".[43]

The Ṭāhirid's (r. 858-923/1454-1517) succeeded the Rasūlid dynasty and followed their example of supporting the Sufis against the jurists. There existed, on the authority of al-Ḥabshī, a great friendship between the King ᶜĀmir b. ᶜAbd al-Wahhāb al-Ṭāhirī and Abū Bakr b. ᶜĀbd Allāh al-ᶜAydarūs (d. 914/1508), the founder of the ᶜAydarūs *ṭarīqa*, which included bestowing lavish gifts by the ruler, and excessive praise for the monarch by the Sufi.[44] After the Ṭāhirid rule, the Ottomans invaded Yemen for the first time,[45] which lasted from 945-1045/1538-1641 and then again after two centuries of undisturbed Zaydī rule from 1265-1337/1848-1918.[46] Initially, the Sufis welcomed the Ottomans, but later rebelled against them when they were guilty of detestable acts such as drinking wine, killing people, looting and even sodomy.[47]

From the late sixteenth century onwards, the Zaydīs gained political ascendancy and clashed with the Sufis of Yemen in 1598, as a direct result of the latter's support for the Ottoman Turks. These clashes, as the sources will show, were at times polemical and other times violent. The Zaydī imam, al-Mutawakkil Yaḥyā Sharaf al-Dīn (d. 965/1557), aggressively persecuted the Sufis while the polemicist, imam al-Manṣūr al-Qāsim b. Muḥammad (d. 1029/1620) launched vicious polemical attacks against them, and dismissed them as a Bāṭinī sect which originated from the religion of the fire-worshippers (Majūs). The atmosphere between the two camps was not always hostile, and there were times, before the Sufis pledged loyalty to the Turks, that their Zaydī counterparts tolerated them in the Zaydī highlands. These clashes between them lasted until the Zaydīs expelled the Ottoman Turks from Yemeni soil in 1635. The Sufi

[43]Haykel, *Revival and Reform in Islam*, p. 130.
[44]al-Ḥabshī, *Ṣūfiyya*, pp. 50-1.
[45]The Circassian Mamlūks of Egypt ruled Yemen from 923-945/1517-1538 after the Zaydī imam asked them for help against the Ṭāhirids. The Circassians defeated the Ṭāhirids, but then surrounded the Zaydī imam and only stopped at the news of the Circassian government's collapse in Egypt. They retreated to the coastal city of Zabīd and defended themselves there for 22 years until the Ottomans arrived for their first invasion of Yemen. Cf. Meissner, *Tribes*, p. 66.
[46]Meissner, *Tribes*, p. 63.
[47]al-Maqbalī, *al-ᶜAlam al-shāmikh*, p. 391.

movement in Yemen crumbled with the collapse of the Ottoman stronghold, only to resurface in the eighteenth century, when the Egyptian Sufis arrived to set up their movements there.[48]

Popular Sufism

The writings of Muḥammad b. Ismāᶜīl al-Amīr (commonly known as Ibn al-Amīr d. 1182/1769) and Shawkānī, the last two prominent Yemeni literalist Salafis in the eighteenth century, clearly show that there was a shift from speculative to popular Sufism.[49] Ibn al-Amīr, Shawkānī's predecessor, addressed the problem of popular Sufism by writing a short treatise (*risāla*) titled *Taṭhīr al iᶜtiqād ᶜan adrān al-ilḥād* (Purifying Creed from the Impurities of Disbelief), in which he criticized the Sufi excesses. His immediate concern was the widespread and dangerous belief in the dead that they could and do cause benefit, or harm or they could intercede with God on someone else's behalf in worldly matters. This, he lamented, had become common throughout the Islamic lands of Shām, Egypt, Najd, Tihāma and Yemen. Of equal concern to him was the ease with which the charlatan Sufis claimed knowledge of the unseen and the ability to predict future events. *Taṭhīr al-iᶜtiqād* mainly addressed the minority Shāfiᶜī's in Yemen, but also highlighted the common problem of popular Sufism elsewhere.[50] Although Ibn ᶜArabī's speculative thought was nowhere near its former glory as in the Rasūlid era, the Yemeni Salafis, however, continued with their refutation of his doctrine.

After his appointment as grand *qāḍī*, Shawkānī had to deal with all religious issues affecting the imamate. On one such occasion, his co-judge, student, and fellow jurist of

[48]Haykel, *Revival and Reform in Islam*, p. 31.
[49]The Yemeni literalist reformist movement, which broke with the Hādawī tradition of *taqlīd*, in favor of *ijtihād* based on the Sunnī ḥadīth collections was started by Muḥammad b. Ibrāhīm al-Wazīr. He was later followed by Ḥasan b. Aḥmad al-Jalāl (d. 1084/1673), Ṣāliḥ b. al-Mahdī al-Maqbalī, Ibn al-Amīr and Shawkānī. Cf. Ismaᶜīl b. ᶜAlī al-Akwaᶜ, *Aʾimma al-ᶜilm waʾl-mujtahidūn fī ʾl-Yaman*) (Amman: Dār al-Bashīr, 2002).
[50]Haykel, *Revival and Reform in Islam*, p. 31.

Hodeida, *qāḍī* Muḥammad b. Aḥmad Mashḥam (d. 1223/1808) summoned his help on the Sufi excesses in the Tihāma region.[51] Qāḍī Mashḥam's question reads as follows:

> The question is about using the dead as well as the living famous for piety to draw nearer to God, seeking their help and calling on them in times of need. Also, glorifying (*taᶜẓīm* of) their graves (*qubūr*) and believing they have power (*qudra*) to achieve the demands (*ṭalabāt*) and needs (*ḥawāᵓij*) of the needy. What is the ruling about the one who does so? In addition, is it licit to visit the graves of the pious only visiting them and pleading to Almighty Allāh at their graves without asking their help (*istighātha*)? And, is it licit to only use them as a means of drawing nearer to Almighty Allāh (*tawassul*)?[52]

The call of *qāḍī* Mashḥam came as a direct result of the Muwaḥḥidūn (Wahhābī)[53] influence in Hodeida, a Shāfiᶜī port town, on Yemen's Red Sea coast. Shawkānī responded to his query in his treatise titled *al-Durr al-naḍīd fī ikhlās kalimat al-tawḥīd* (The Well Strung Pearls Regarding Purity of Belief) that was originally intended as an extended *fatwā* in which he clarified the issue that seeking the help of the living and asking for their intercession is licit in Islam. He, however, condemns as disbelievers those who seek this from the dead. He warned:

> If you understood this, then take heed, the trial of all trials and the calamity of all calamities is a matter other than what we have explained about licit *tawassul*, and seeking someone's intercession that can achieve such. The [matter] is what most common people *ᶜawāmm*) and even some of the elite (*khawāṣṣ*) have come to believe about the dead

[51]Ibid., p. 130.

[52]Shawkānī, *al-Durr al-naḍīd fī ikhlāṣ kalimat al-tawḥīd*, Abū ᶜAbd Allāh al-Ḥalabī (ed.) (n.p.: Dār Ibn Khuzayma, 1994), p. 28 (hereinafter *al-Durr al-naḍīd*)

[53]According to Haykel, the antagonists of Muḥammad b. ᶜAbd al-Wahhāb have called his followers Wahhābīs, but they regarded themselves as *Muwaḥḥidūn* (Unitarians). The Saudi government has officially declared Salafism as the official religion on 31st August 1926. Cf. Haykel, *Revival and Reform in Islam*, p. 135. Also see al-Sharjī, *Imām al-Shawkānī*, p. 53.

> and the pious among the living; they can carry out and do carry out that which only He can. They reached the stage where their tongues started to articulate that which their hearts had conceived about the dead. They [i.e., grave worshippers (*quburiyyūn*)] call them [i.e., the dead], sometimes collectively with Almighty Allāh's name, and sometimes independently. They chant their names and glorify them in the same manner as they would to one having the power to benefit and harm [i.e., Almighty Allāh]. They are more humble in their presence [i.e., the dead] than when they face Almighty Allāh in prayer and supplication. If this is not associating partners with Almighty Allāh (*shirk*) then you do not know what is, and if it is not disbelief (*kufr*) then there is no disbelief (*kufr*) in this world.[54]

Apart from taking issue with the *qubūriyyūn* about their disbelief, Shawkānī also differed with his predecessor and co-literalist Ibn al-Amīr who excused their excesses at the graves of the dead, since he [i.e., Ibn al-Amīr] claimed that their ungodly acts were actions of disbelief (*kufr ᶜamal*) rather than rejection of faith (*kufr iᶜtiqād*). With such reasoning, Shawkānī argues, Ibn al-Amīr had contradicted himself, because, after he had declared them to be actions of disbelief (*kufr ᶜamal*) Ibn al-Amīr concluded:

> Nevertheless, the devil (*shayṭān*) adorned their idea that the pious slaves of Almighty Allāh bring benefit and intercede [on their behalf] and they [i.e., the grave worshippers] *believed* (sic) this out of ignorance similarly as the People of Ignorance (*Ahl al-Jāhiliyya*) believed this about their idols.

Their impious actions, according to Shawkānī, developed from their unshakeable belief in the dead, and they did not perform these actions out of vanity and amusement, but with strong belief and vigor.[55]

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[54]Shawkānī, *al-Durr al-naḍīd*, p. 28.
[55]Ibid., p.110.

In another false delusion, which Shawkānī accredits to the *qubūriyyūn*, he cautions:

> Beware of the invalid false delusions (*shubah al-bāṭila*) by which those who believe in the power of the dead [i.e., the Sufis] claim that they are different to the people of Ignorance, because they [i.e., Sufis] believe in the friends of God and pious people (*al-awliyāʾ waʾl-ṣāliḥīn*) whereas they [i.e., polytheists] believed in idols and the devil.[56]

He responded to them in the following manner:

> This mistaken logical reasoning shows the protagonist's ignorance, because Almighty Allāh did not even exempt those who believed in [the Lordship of] ʿIsā (*as*) [from such belief] considering that he is one of the prophets (*as*). Rather, He addressed the Christians (*Naṣārā*) with Qurʾānic verses such as: '*People of the Book! Do not go to excess in your religion. Say nothing but the truth about Allāh. The Messiah, ʿĪsā son of Mary (Maryam), was only the Messenger of Allāh and His Word, which He cast into Mary, and a spirit from Him. So have faith in Allāh and His Messengers*'.[57] Almighty Allāh also said to those worshipping the angels, '*On the Day We gather them all together and then say to the angels, 'Was it you whom these people were worshipping?' They will say, 'Glory be to You! You are our protector not them''*.[58] No doubt ʿĪsā (*as*) and the angels are more excellent in virtue than the *awliyāʾ* and pious people (*al-ṣāliḥīn*) whom these grave worshippers (*al-qubūriyyūn*) have believed in.[59]

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[56]Ibid., p. 88.
[57]*s*. 4 v. 170.
[58]*s*. 34 v. 40-1.
[59]Shawkānī, *al-Durr al-naḍīd*, p. 88.

Even though Shawkānī insists the *qubūriyyūn* are disbelievers, there has been much speculation about his alleged retraction shortly before his death of an earlier verdict about Ibn ᶜArabī's disbelief. The cause of the dispute has been whether this alleged retraction found on the cover of a copy of *al-Ṣawārim al-ḥidād* is genuine, according to the judge Muḥammad b. Ismāᶜīl al-ᶜAmrānī, or a forgery by one of his antagonists, or possibly even Muḥammad Ṣiddīq Ḥasan Khān of India, himself a Sufi, according to al-Sharjī.[60]

Despite his severe condemnation of both speculative and popular Sufism, Shawkānī focuses on another type of Sufism [*zuhd*] in his treatises *Baḥth fī ʾl-taṣawwuf* (An Essay on Sufism) and *al-Ṣawārim al-ḥidād.* In *Baḥth fī ʾl-taṣawwuf* for instance, he says:

> Commendable Sufism means renouncing this world (*zuhd*) until its gold and sand are equal to him [i.e., the Sufi]. Then he should turn away from people's praise and criticism until they [i.e., praise and criticism] are equal to him. After that, he should occupy himself with remembering Almighty Allāh and performing deeds that will bring him nearer to Him. Whoever did this is the genuine Sufi (*al-Ṣūfī al-ḥaqq*).[61]

Al-Sharjī is quick to point out that Shawkānī uses the word 'Sufi' in a different context and he therefore does not associate it with either speculative or popular Sufism. Shawkānī, in his view, has derived the word Sufi from *ṣafā*, which means purifying the soul from impurities of sin and disobedience (*ṣafā al-nafs min al-kadar wa danas al-dhunub waʾl-maᶜāṣī*).[62] He further states that Shawkānī takes this meaning and connects it to the religion, which makes it a *taṣawwuf* [i.e., *zuhd*] that conforms to the

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[60]al-Sharjī, *Imām al-Shawkānī*, p. 333.

[61]Muḥammad al-Shawkānī, *Baḥth fī ʾl-taṣawwuf*, in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, 12 vols., Muḥammad Ṣubḥī Ḥallāq (ed.) (Sanaa: Maktaba al-Jīl al-Jadīd, 2002), vol. 2, p. 1045.

[62]This is also the opinion of Muḥammad Ṣubḥī Ḥallāq, a fourth generation student of Shawkānī who has edited most of Shawkānī's works, and has warned against the use of the word Sufism in its general sense regarding Shawkānī in a personal interview I conducted with him in Sanaa December 2004.

Divine guidance contained in the noble Qurʾān and reliable Sunna.[63] Shawkānī's reference to commendable Sufism in his writings, therefore, should be understood in the light of his own understanding and use of the word 'Sufism' rather than its common understanding.

Contemporary Sufism in Yemen

Recently, in the twentieth century, popular Sufism in Yemen has had its fair share of persecution by the Salafis and the government. David Meyer Buchman who has done a study on this contemporary movement in Yemen has captured their persecution in the following words:

> The Sufis of the Shadhiliya/Alawiya order believe that they are both subtly and actively persecuted by the government and various non-Sufi Yemenis because of their Sufi beliefs and practices. They explain that their sheikh had to leave Yemen in 1994 because of threats on his life made by the then incumbent Islamic political party, Islah, because of the sheikh's teachings. The head representative of the sheikh, Nadhim, was fired as imam of a central government mosque because it became known to the Islahis in charge of the mosque that he attended and led the Sufi gatherings of the Shadhiliya/Alawiya order. …In September 1996 an Islahi man from Taizz found out that his son-in-law was a member of the Shadhiliya/Alawiya Sufi order, and so wanted his daughter divorced from her unbeliever (*kāfir*) husband. The husband refused. While his son-in-law was out of town, his father-in-law came to their home, beat his daughter, stripped the house of all its furnishing and sold it for a pittance. The furniture belonged to the son-in-law.[64]

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[63]al-Sharjī, *Imām al-Shawkānī*, p. 322.

[64]David Meyer Buchman, *The Pedagogy of Perfection: Levels of Complementarity within and Between the Beliefs and Practices of the Shadhiliya/Alawiya Order of Sanaa, Yemen*, Ph.D. thesis, State University of New York at Stony Brook, 1998, p. 10.

The Sufis in Yemen have been forced to go underground, according to Buchman, and he continues to describe their bad fortune stating:

> In addition, the order's meeting place is concealed from public view, being located in a wealthy disciple's house, not in a public mosque. Although all Yemenis are welcome to attend, from September 1996 to January 1997, there were no "official" meetings. Instead a handful of disciples met discreetly in different houses and told non-Sufi Yemenis that there were no meetings. During the summer of 1996, Islahi and Zaydi Yemenis would attend the gatherings and disrupt the meetings by asking questions about the rituals performed. While questions were always asked and answered at such gatherings, it soon became apparent that these people were asking such questions in order to disrupt the meetings and argue against Sufism, not to learn about it.[65]

In recent times, the numerous Yemeni *fatwās*,[66] which call for the destruction of tombs and shrines and the leveling of any raised hump on the grave, have been a further blow to this important feature of Sufi practice and belief. These *fatwās*, which sometimes have almost fifty prominent Yemeni scholars as signatories to them, have found an eager support in the Yemeni youth waiting to execute them.[67] In one of these campaigns in the district of Shabwa, some eyewitness accounts claim that when the dome was destroyed and the structure around the grave removed, they found no sign of a grave ever having been there. Yet in another incident in the city of Aden, some overzealous youth removed the corpses from their graves.[68]

Although the Sufi and Salafi dispute in Yemen is primarily one of doctrinal considerations, it is difficult to ignore the role politics has played in the whole debate.

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[65]David Buchman, *The Pedagogy of Perfection*, p. 105.
[66]Cf. Aḥmad b. Ḥusayn al-Muᶜallim, *al-Qubūriyya fī 'l-Yaman*, *nashᵓatuhā-āthāruhā-mawqif al-ᶜulamāᵓ minhā* (Sanaa: Markaz al-Kalima al-Ṭayyiba li al-Buḥūth wa al-Dirāsāt al-Islamiyya, 2003), pp. 655-71.
[67]Ibid., p. 686.
[68]Ibid., pp. 686-7.

In the case of the Rasūlid and other dynasties before the Zaydī rule, the Sufis enjoyed political backing and could publicly spread their teachings in Yemen without fear of retaliation. With the advent of the Zaydī rule and subsequent unification of Yemen in 1962, their role has been reversed and they have been persecuted and sometimes forced to conduct their practices in secret. Ever since hostilities started between the two sides in medieval Yemen, the Sufis have been unconvincing to prove their doctrine on religious grounds and for a next Sufi revival in Yemen they will definitely need a government that is sympathetic to their cause.

4. *Ijtihād* and *ittibāᶜ*

> *Taqlīd* means the blind imitator (*muqallid*) does not ask about the Book of Almighty Allāh and His Messenger's (*ṣ*) Sunna, but asks only about the *madhhab* of his imam. If he exceeds that and asks about the Book and Sunna then he is not considered a *muqallid*.
>
> Shawkānī[1]

Modern research on *ijtihād* has been divided whether the door of *ijtihād* was closed (*insidād bāb al-ijtihād*) and exactly when the supposed closure happened. Western scholars such as Joseph Schacht, J.N.D. Anderson, H.A.R. Gibb and W. M. Watt have all accepted that the door of *ijtihād* was supposedly closed by the end of the third/ninth century. Wael B. Hallaq, however, has advanced another theory in which he has argued, "that the door of *ijtihād* was neither closed in theory or in practice".[2] In fact, he insists that *ijtihād* was continually practiced throughout the centuries although sometimes under a different guise. He errs, however, when he asserts that Shawkānī had restricted his condemnation of *taqlīd* to the ulema alone and that he had approved the practice of *taqlīd* for the laity. In this section, we will mainly focus on Shawkānī's view about the duty of the layperson that is unable to perform *ijtihād*, from his statements recorded in his works.

Shawkānī's writings on *ijtihād* and *taqlīd* reflect that he aimed at disproving two arguments; that the door of *ijtihād* was closed, therefore, none of the later scholars could perform *ijtihād*, and that the uneducated masses were to subject themselves to practice *taqlīd* of the earlier scholars. *Ijtihād* in legal terminology would mean the *mujtahid* expending his mental ability in reaching a practical religious ruling by inference (*al-istinbāṭ*) [with only the possibility of a probable answer], whereas *taqlīd*

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[1]Muḥammad al-Shawkānī, *al-Qawl al-mufīd fī ḥukm al-taqlīd* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, Muḥammad Ṣubḥī Ḥallāq (ed.), 12 vols. (Sanaa: Maktaba al-Jīl al-Jadīd, 2002), vol. 5, p. 2169 (hereinafter *al-Qawl al-mufīd*).

[2]Wael B. Hallaq, 'Was The Gate Of Ijtihad Closed?', International Journal of Middle East Studies, vol. 16, No.1 (March 1984), pp. 3-41.

would mean accepting the private opinion (*raʾy*) of the scholar without his legal proof (*qabūl raʾy al-ghayr min ghayr ḥujjatih*).[3]

The logical arguments

To prove the continual existence of later *mujtahids* after the supposed closure of the door of *ijtihād* in the seventh/thirteenth century, Shawkānī embarked on the task of compiling his biographical dictionary *al-Badr al-ṭāliᶜ*. All these distinguished Yemeni and non-Yemeni scholars, according to him, had more than the skills needed to perform *ijtihād*.[4] The sciences needed for *ijtihād*, he claimed, were more easily accessible for the later generations, because they were documented in the books of *tafsīr*, *ḥadīth* and other Islamic sources.[5] Arguing against some of the Yemeni Shāfiᶜīs, who claimed there existed no *mujtahids* after the establishment of the four *madhhabs* Shawkānī states:

> No one disputes that they had more than the sciences needed for *ijtihād.* They include; Ibn ᶜAbd al-Salām (660/1261)[6], and his student Ibn Daqīq al-ᶜĪd (d. 702/1302), and his student Ibn Sayyid al-Nās[7] (d. 734/1333), and his student Zayn al-Dīn al-ᶜIrāqī[8] (d. 806/1403), and his student Ibn Ḥajar al-ᶜAsqalānī, and his student al-Suyūṭī[9] (d. 911/1505)… Each one of them is a great scholar knowledgeable about the Qurʾān and Sunna

[3]Muḥammad al-Shawkānī, *Irshād al-fuḥūl ilā taḥqīq al-ḥaqq min ᶜilm al-uṣūl* (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), pp. 370, 390 (hereinafter *Irshād al-fuḥūl*).
[4]See Shawkānī, *Badr*, pp. 103, 599, 745 for the biographies of Ibrāhīm Ibn al-Wazīr (400), Ibn Ḥajar al-ᶜAsqalānī (51) and Ibn Daqīq al-ᶜĪd (487).
[5]Shawkānī, *Irshād al-fuḥūl*, p. 376.
[6]ᶜAbd al-ᶜzīz b. ᶜAbd al-Salām b. Abī al-Qāsim al-Dimishqī was known as the sultan of the scholars and was a famous Shafiᶜī scholar who reached the status of independent *ijtihād*.
[7]Muḥammad b. Aḥmad b. Sayyid al-Nās al-Yaᶜmurī was a *ḥāfiẓ* of ḥadīth, a scholar, and author who was born in Cairo. Cf. *Badr*, pp. 766-8 (biography 506).
[8]ᶜAbd al-Raḥīm b. al-Ḥasan b. ᶜAbd al-Raḥmān commonly known as *al-ḥāfiẓ al-ᶜIrāqī* was the teacher of Ibn Hajar al-ᶜAsqalānī, cf. *Badr*, p. 363 (biography 236).
[9]ᶜAbd al-Raḥmān b. Abī Bakr al-Jalāl was famous for his many works and was was severely opposed by his contemporaries when he claimed independent ijtihād, cf. Shawkānī, *Badr*, pp. 337-43 (biography 228).

> having more than the sciences needed for *ijtihād* as well as knowing other sciences [besides them].[10]

Shawkānī further objected to al-Rāfiᶜī's (d. 623/1226) claim that there existed an agreement (*ittifāq*) among the Shāfiᶜī scholars that later *mujtahids* were nonexistent. As a counter claim, he used the consensus (*al-ijmāᶜ*) of another Shāfiᶜī scholar al-Zarkashī (d. 795/1392) who stated that Ibn ᶜAbd al-Salām and Ibn Daqīq al-ᶜĪd[11] were both leading Shāfiᶜī *mujtahids*.[12] The existence of such *mujtahids* always and in every town, in Shawkānī's view, meant the layperson had access to the Qurʾān and Sunna although through an intermediary (*al-wāsiṭa*). Bernard Haykel has pointed out that Shawkānī's proposal of a *wāsiṭa* exposed him to criticism, since the ordinary person could not possibly weigh between the correctness of contradictory opinions from two or more contending *mujtahids* to decide the correct *sharīᶜa* ruling.[13]

Giving a possible answer, Haykel suggests that Shawkānī probably meant it was the *mujtahid's*[14] duty to examine these conflicting opinions first, and after having checked the strength of their arguments, should present the correct opinion to the questioner.[15] His answer, however, treats only a part of the problem, that is, where both conflicting opinions have relied on textual evidence. As for the *mujtahid* presenting relevant textual evidence in a religious matter while another opposes him with his private opinion, then the laity would have no difficulty in distinguishing between the textual evidence and the private opinion (*raʾy*) of the differing *mujtahids.*

Besides, the assumption that the layperson needs to weigh between the various opinions of the contending *mujtahids*, does not consider that the Qurʾān commands the *mujtahid* and the layperson collectively "*… If you have a dispute about something, refer it back*

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[10]Shawkānī, *Irshād al-fuḥūl*, p. 376.
[11]Muḥammad b. ᶜAlī b. Wahb (Ibn Daqīq al-ᶜĪd) was skilled in both the Mālikī and Shāfiᶜī school of thought and an expert of *uṣūl al-fiqh*, cf. *Badr*, pp. 745-8.
[12]Shawkānī, *Irshād al-fuḥūl*, p. 376.
[13]Cf. Haykel, *Revival and Reform in Islam*, p. 102.
[14]The *mujtahid* here refers to anyone who has the ability to perform *ijtihād* such as the *muftī*, *qāḍī* or jurist.
[15]Cf. Haykel, *Revival and Reform in Islam*, p. 100.

to Allāh and His Messenger…".[16] The beginning of the verse supports this referral, because it starts with a general address for all the believers, the *mujtahid* as well as the uneducated, "*You who have faith!*"[17] The generality of the verse, therefore, merely commands the believers to make their referral to the Divine sources. As such the *mujtahid's* duty is to check whether the textual evidence he is using and relaying to the masses is not opposed by any other textual evidence (*al-muᶜāraḍa*), nor has it been abrogated (*al-naskh*), or there is no legal proof restricting its generality (*al-takhṣīṣ*). Because of his skill to perform *ijtihād*, the *mujtahid* consults the legal proofs directly. The inability of the layperson, on the other hand, leaves him with the choice of either asking the *muftī* about his private opinion, which is *taqlīd*, or asking him about the strongest legal proof regarding the issue, which is *ittibāᶜ*.

Shawkānī's greatest criticism would inevitably come from those closest to him, the Zaydī Hādawīs, who perceived him as the greatest threat to their *madhhab* because of his call for renewed *ijtihād* and *ittibaᶜ*. His fiercest Hādawī opponent, Ibn Ḥarīwa, accused him in the following words:

> Your [i.e., Shawkānī's] obstinate claim that providing the commoner with a text from the Book or *ḥadīth*, which he must then follow, does not constitute *taqlīd* is foolish. If the text which is provided to him is one over which there is no conflict, then the matter is not relevant here. [However], if [conflicting positions] (*ikhtilāf*) exist [with regards to the text cited] then the *muqallid* must choose between the various positions, and it is assumed that he cannot do this, therefore, he must adhere to one of them which is pure *taqlīd…* In sum you expect them [commoners] to adhere to your opinions and *ijtihād* in issues where differences of opinions exist (*masaʾil al-khilāf*) and you obligate them to practice *taqlīd* of yourself.[18]

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[16] *s*. 4 v. 59.
[17] Ibid.
[18] Haykel, *Revival and Reform in Islam*, p. 102.

Once again, there is the assumption by Ibn Ḥarīwah that the layperson has to choose between conflicting opinions, which he regards as *taqlīd*. This ability which the factionalists such as Ibn Ḥarīwah expects from the layperson is in reality the skill of the *mujtahid* and those who fall short of performing *ijtihād* but have the ability to distinguish between textual evidences (*ahl al-tarjīḥ*). Ibn Ḥarīwah's argument becomes even less convincing when he starts confusing the issue of *taqlīd* with that of *ittibāᶜ*. His diatribe against Shawkānī that even by giving the layperson a legal proof also constitutes *taqlīd* is mistaken, since the legal definition of *taqlīd* means accepting the opinion of a scholar without his textual evidence. Furthermore, the difficulty he envisaged for the commoners to weigh between conflicting opinions further contradicts this definition, because the *muqallid* merely accepts the opinion of his imam without asking about the various other conflicting views found in the other *madhhabs*.

Adding to the controversy, Ibn al-Wazīr has argued that the uneducated Companions (*ra*) would ask the learned ones without knowing that another learned Companion held a conflicting view. On receiving the *fatwā* from the Companion they had asked, it was as if they had received it from the Prophet (*ṣ*) himself through this intermediary (*al-wāsiṭa*). He continues that they, or most of them, believed that these *fatwās* were clear legal proofs from the Prophet (*ṣ*) himself. They did not suspect that the Companion (*ra*) would give a *fatwā* based on his opinion, and in the process would contradict another Companion's view, who is more knowledgeable than him on the same matter, as is the case with the *madhhabs*. He insists that the person who knows the strengths and weaknesses of the *muftī's* proofs does not belong to the uneducated masses, and if he should encounter any contradictory opinions he should seek logical signs (*al-amārāt al-ᶜaqliyya*) and ways by which he prefers[19] the one view over the other (*al-murajjiḥāt*).[20]

[19]In this case, the person prefers one opinion over the other (*tarjīḥ*) without intending to give *fatwā* based on his findings. The uneducated masses should refer their religious questions to a *muftī* knowledgeable about the Qurʾān and Sunna and take his legal proof (*riwāya*) without looking at any other contradictory view.

[20]Ibn al-Wazīr, *al-Rawḍ al-bāsim*, p. 174.

In Shawkānī's view, therefore, the *mujtahid* would act as an intermediary (*wāsiṭa*), and after having carefully considered the various opinions, he would relate the strongest legal proof to the questioner. This did not constitute *taqlīd* to him at all. He asserted that the first three generations of Islam acted on the principle of the *wāsiṭa*: when the uneducated Companions (*ra*) were faced with a religious issue they would ask the learned ones about it, and they in turn, would provide the questioner with the legal proof (*al-ḥujja al-sharᶜiyya*). In asserting the role of the *wāsiṭa* Shawkānī argues against another Hādawī scholar, Isḥāq b. Yūsuf b. al-Mutawakkil ᶜalā Allāh Ismāᶜīl, b. al-imam al-Qāsim b. Muḥammad (d. 1173/1760) who claimed that he was unconvinced about abstaining from *taqlīd*:

> If you have pondered carefully, may the Almighty Allāh forgive you, about the Companions [*ra*], the Successors [*r*] and their Successors' [*r*] condition that would have satisfied your burning desire for knowledge. Clarifying this means that the [first] three generations, which are the best deceased personalities of this *umma*, contained the scholar and the uneducated (*al-ᶜālim waʾl-ᶜāmmī*). The scholar would practice *ijtihād* and the uneducated would ask [them] about the Qurʾān and the Sunna, asking them for an explanation and acting on that which reached them [i.e., from the Qurʾān and Sunna]. This is not *taqlīd* at all, because of what legal theory has agreed on, that *taqlīd* means accepting the opinion of the scholar without his legal proof. They [i.e., the first three generations] never accepted the opinion of the scholar, to the contrary, they accepted his legal proof via his narration (*riwāyatih*), and accepting the scholar's narration is not considered *taqlīd* [in legal theory]. Those [contemporary] scholars whom you [i.e., Isḥāq b. Yūsuf] have accused of causing difficulty for the masses, because they prevent them from practicing *taqlīd*, have only asked the masses to imitate the Companions [*ra*] and those [two generations] after them and to abandon this shameful innovation of *taqlīd*. If the way by which they [i.e., the contemporary scholars] encourage the masses is the guidance, which the best

> generations acted on, then what disgrace-to Almighty Allāh is attributed your flow of eloquence-is there on them because of this! Take the way [that I have explained] and your problem will disappear.[21]

Continuing his argument and varying his line of debate, Shawkānī says:

> We will mention it [i.e., *ittibāʾ*] to you via questioning and we say: 'The laity among the Companions [*ra*] and Successors [*r*] do not fall outside one of these three descriptions, that is, either *taqlīd*, *ijtihād* or a *wāsṭa.* The first [description i.e., *taqlīd*] is wrong because of what we have explained that they did not accept the scholar's opinion, but instead accepted his legal proof, and for this reason none of them had any affiliation to those [scholarly] personalities such as those *muqallids'* affiliation to their imams. To the contrary, they [i.e., the earlier generations] sufficed with an affiliation to the generality of the *sharīᶜa*; what an excellent affiliation that is! None of them were reportedly affiliated in his *madhhab* for instance to the *madhhab* of Ibn ᶜAbbās and was called a ᶜAbbāsī, such as is the case of calling someone a Shāfiᶜī [if he follows this imam] for instance. The second [description i.e., *ijtihād*] is also wrong because of them lacking the ability [of *ijtihād*] which is needed. Nothing but the third [description] remains, I mean, the *wāsiṭa* as we have explained to you. If you understood this correctly then you will satisfy your desire for knowledge.[22]

As further proof for his argument against *taqlīd*, Shawkānī draws on the statements of the four Sunnī imams as well as the scholars of the *Ahl al-Bayt* who declared the practice of *taqlīd* unlawful.[23] Lining up with the factionalists, the thesis of Muḥammad

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[21]Muḥammad al-Shawkānī, *al-Tashkīk ᶜalā ʾl-tafkīk li-ᶜuqūd al-tahskīk*, in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, Muḥammad Ṣubḥī Ḥallāq (ed.), 12 vols. (Sanaa: Maktaba al-Jīl al-Jadīd, 2002), vol. 5, p. 2137.
[22]Ibid., pp. 2137-8.
[23]Shawkānī, *al-Qawl al-mufīd* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, vol. 5, pp. 2208-9.

Saᶜd Najjād argues that the statements made by the scholars such as imam Mālik in fact refer to the unlawfulness of the independent *mujtahids*, and not the laity, practicing *taqlīd* of the four imams. Shawkānī, he protests, has further failed to mention that Ibn ᶜAbd al-Barr, after having cited all these statements in his book, has also stated that the uneducated masses should practice *taqlīd* of the earlier scholars.[24] Even though this would seem to dislodge Shawkānī's argument from the one side, it strengthens it from the other, because he also vigorously argued the case of independent *ijtihād* for the later generations. Najjād's discourse is not a new one since Ibn al-Wazīr has endeavored to explain al-Shāfiᶜī's (d. 204/819) statement a few centuries ago: "If the ḥadīth is reliable then act on it and leave my opinion" in the following words:

> This proves what we have said, because it is wrong to apply this statement of al-Shāfiᶜī to the [independent] *mujtahids* because they do not act on his *madhhab* whether the ḥadīth is reliable or not and they do not need such an instruction. He [i.e., al-Shāfiᶜī] advised the adherents of his *madhhab* [i.e., *muqallids*] with this statement (*ra*) fearing fanaticism might befall his students and followers by them preferring his view over that of the reliable ḥadīth of the Prophet (*ṣ*). This proves his reverence of the Prophetic Sunna and preferring it above analogical deductions (*al-ārāʾ al-qiyāsiyya*) and views based on logical signs (*al-amārāt al-ᶜaqliyya*).[25]

In a further attempt to take Shawkānī's argument apart, Najjād claims that imam Mālik allowed the practice of *taqlīd* in fourteen instances because of need (*al-ḍarūra*), that of the layperson being the first. Arguing against this general claim in favor of *taqlīd* and specifically that of the Hādawīs, Ibn al-Wazīr persists there were no organized factions in the time of the Companions (*ra*) such as the Bakrīs, ᶜUmarīs, ᶜAbbāsīs, and Masᶜūdīs, referring to the Companions (*ra*) by these names. He further asks the one who claims the uneducated Companions (*ra*) restricted themselves to only one specific

[24]Muḥammad Saᶜd Najjād, *al-Ijtihād waʾl-taqlīd ᶜinda Muḥammad b. ᶜAlī al-Shawkānī*, M.A. thesis, Tunis: Zaytūna University, 1997.
[25]Ibn al-Wazīr, *al-Rawḍ al-bāsim*, p. 165.

mujtahid Companion (*ra*) to identify him. According to him there were more than one hundred Companions (*ra*) who gave *fatwās* to the uneducated masses while "they [i.e., uneducated Companions (*ra*)] did not subscribe to a particular Companion's (*ra*) *madhhab* nor did they restrict themselves to the *fatwās* of one specific *muftī*".[26]

The legal proofs

Our discussion thus far has focused on the logical arguments in favor of *ittibāᶜ* and *taqlīd*. With these logical arguments aside, we can now concentrate on the legal proofs cited by the protagonists of *taqlīd.* Perhaps their strongest legal proof is the Qurʾānic verse: "*Ask the People of the Scripture if you do not know*".[27] Based on this verse, they have argued that the laity should ask about the *madhhab's* rulings without them knowing their *madhhab's* legal proofs.

Ibn al-Wazīr has pointed out that for the *muqallid* to use the verse "*Ask the people of the scripture …*" he needs the sciences of *ijtihād* to do so. Firstly, he should know the verse was not abrogated and that there is no other verse contradicting or specifying it (*maᶜrifat anna al-āya ghayr mansūkha wa lā muᶜāraḍa wa lā mukhaṣṣaṣa*). Furthermore, a good understanding of the verse intent will demand of him to know the rules of the Arabic language, which in turn would require of him to be of the *ahl al-ijtihād*. He immediately dismissed their argument that the verse intent is clear and, therefore, there is no need for *ijtihād*. He argued that the verse is ambiguous and, therefore, the dispute surrounding it revolves around a question. He argues:

> If you understand this, then realize, there must be those who are questioned (*mas'ūl*) and the matter in question (*masʾūl ᶜanhu*)[28] [in the

[26]Ibid., p. 173.
[27]*s*. 16 v. 43.
[28]All the other Qurʾānic questions such as "*they will ask you about alcoholic drinks and gambling*" (*s*. 2 v. 218), "*they* [i.e., the men] *will ask you about menstruation*" (*s*. 2 v. 221), "*they will ask you about the crescent moons*" (*s*. 2 v. 189) etc. specify the matter in question (*masʾūl ᶜanhu*). Therefore, wine and gambling, menstruation, and sighting the moon crescent are the *mas'ūl ᶜanhu* in these verses. In

verse]. The *masʾūl* [i.e., those questioned] mentioned in the verse are the *ahl al-dhikr*[29] while the matter in question (*masʾūl ʿanhu*) has been omitted. The opinion, which asserts that the *masʾūl ʿanhu* means the opinions of the *mujtahid*, which are unsupported by any textual evidence, has no textual backing of its own. The omitted *masʾūl ʿanhu* could therefore also possibly mean the *madhhab's* [opinions] unsupported by legal proofs. Some scholars have argued [in defense of *ittibāʿ*] that the *mas'ūl ʿanhu* means to ask about the legal proofs which Almighty Allāh has revealed, because of Almighty Allāh's statement: '*Follow what has been sent down from your Lord*'.[30] Therefore, when He commanded us to ask the *ahl al-dhikr* we understand that He instructed us to ask them [i.e., the scholars] about His revealed *sharīʿa* which He has commanded us to follow. All these opinions, however, contradict the correct understanding of the verse based on the rules of the Arabic language. The preferred view is that the *masʾūl ʿanhu* means [the pagan Meccans] should ask [the Jewish and Christian scholars] whether the Messengers were human, because this is mentioned in the beginning of the verse and the Arabic use supports this meaning. The indications (*al-qarāʾin*) [in the verse] lead the mind to that, because when Almighty Allāh says: '*We have only ever sent before you* [i.e., pagan Arabs] *men who were given revelation.* [O pagan Arabs] *Ask the People of the Scripture* [*ahl al-dhikr* i.e., the rabbis and monks]'[31] the first thought to cross one's mind would be: "Ask them about whether we only sent men [as Messengers]".[32]

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this question, however, the matter in question (*masʾūl ʿanhu*) is unknown and, therefore, it remains open to speculation as Ibn al-Wazīr later tries to point out.

[29]The *ahl al-dhikr* mentioned in the verse could refer to the scholars, monks and rabbis or even the people of remembrance (*dhikr*). Therefore, it becomes necessary to consult the beginning of the verse to decide who the *ahl al-dhikr* refers to. The inference (*istinbāṭ*) based on the principles of *uṣūl al-fiqh*, therefore, is firstly dependent on the correct understanding of the verse intent (*fahm al-naṣṣ*).

[30]*s*. 7 v. 3.

[31]*s*. 16 v. 43.

[32]Ibn al-Wazīr, *al-Rawḍ al-bāsim*, p. 61.

Anticipating an objection against his explanation of the verse, Ibn al-Wazīr counters this stating:

> Should it be argued that even if the verse was specifically revealed for this reason, most of the scholars (*jumhūr*) will not restrict it to that cause alone [but will consider the generality of the verse intent not its specific cause], that is why the legal theorists did not discuss the verse. We [i.e., Ibn al-Wazīr] respond that the verse does not fall under this category, because, that one can claim if the wording of the verse is general (*ᶜāmm*) and the cause for its revelation is specific (*khāṣṣ*). This verse's wording, however, is unclear (*ghayr ẓāhir*), because of the omission [i.e., of the *masᵓūl ᶜanhu*] whereas its reason for revelation is specific (*khāṣṣ*) and not general (*ᶜāmm*). With this the difference between the two cases becomes clear.[33]

This citation of Ibn al-Wazīr shows he regarded the relevant verse as a specific question (*suᵓāl khāṣṣ*), which specifically addressed the pagan Arabs. Their main argument was that God would not send a mere mortal such as Muḥammad (*ṣ*) as a prophet to humanity. The Qurᵓān, therefore, challenged them to ask the Jews and Christians about the matter since all the previous prophets were sent to these two faiths. Based on the historical context of the verse, the Yemeni *mujtahids* have argued that it does not refer to the ulema, but to the Jewish and Christian scholars. Shawkānī and Ibn al-Amīr have further stated that even if one should insist to use the generality of the verse then the *masᵓūl ᶜanhu* can only mean asking the scholars about the legal proofs and their meanings (*istarwūhum al-nuṣūṣ wa istarwūhum ᶜan maᶜānīhā*).[34]

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[33]Ibid., pp. 60-1. Because of the doubt caused in the verse by the *masᵓūl ᶜanhu* which is absent, Ibn al-Wazīr has excluded this verse from the famous legal principle 'the generality of the revealed words is taken into consideration, not its specific reason for revelation' (*al-ᶜibra bi-ᶜumūm al lafẓ lā bi-khuṣūṣ al-sabab*).

[34]Shawkānī, *al-Qawl al-mufīd* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, vol. 5, p. 2122; Also see *Irshād al-nuqqād ilā taysīr al-ijtihād* for the rest of Ibn al-Amīr's answer to the proofs in favor of *taqlīd*.

Shawkānī cites another proof, which the *muqallids* use: "*Obey Allāh and obey the Messenger and those in command among you*"[35] where they argue that "*those in command over you*" (*ulī al-amr minkum*) refers to the scholars. Obedience to them would therefore mean to follow their opinions when they issue a *fatwā*. In response to their interpretation of the verse, he argues that the scholars of *tafsīr* (*al-mufassirūn*) have given two possible meanings for this part of the verse, that is, the political leaders (*al-umarāʾ*) and the ulema. He further employs the statements of the four imams who censured *taqlīd* and argues that they instructed their followers to abandon *taqlīd* and, therefore, obeying their statements would mean abandoning *taqlīd*. The intent of the verse, in his view, would mean the Muslims should only follow the ulema if they command them with the obedience of Almighty Allāh based on the ḥadīth "There is no obedience to any of the creation in the disobedience of the Creator".[36] Shawkānī further explains that encouraging the uneducated masses that do not know legal proofs and cannot distinguish between right and wrong to practice *taqlīd*, would mean they cannot act on the Qurʾān and Sunna except via practicing *taqlīd* of the scholars. They would therefore be following the scholars in their opinions without knowing the legal proofs from the Qurʾān and Sunna.[37]

The part of the verse "*those in command among you*", he admits, could equally apply to the scholars and political leaders alike. Showing obedience to the political leaders in worldly matters such as war strategy and protecting their subjects from harm and serving their worldly interest (*jalb al-maṣāliḥ wa dafᶜal-mafāsid al-dunyawiyya*), in Shawkānī's opinion, sets apart the political leaders. With a further explanation he states that the indisputable ḥadīths (*al-aḥādīth al-mutawātira*) specifies the obedience in the verse as referring to the political rulers as long as they do not command with sin or are guilty of clear disbelief. The verse, he continues, could also possibly mean obeying them in matters of collective obligations (*wājibāt al-kifāya*)[38] and unquantified

[35]*s*. 4 v. 59.
[36]al-Baghawī, *Sharḥ al-Sunna*, ᶜAlī Muḥammad Muᶜawwiḍ and ᶜĀdil Aḥmad ᶜAbd al-Mawjūd (eds.), 7 vols. (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1992), vol. 5, p. 300 (ḥadīth 2449).
[37]Shawkānī, *al-Qawl al-mufīd* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, vol. 5, p. 2183.
[38]This is the case, when all the Muslims are generally commanded to do something, but it suffices for some to do so, which causes the compulsion to be lifted from the rest of them such as funeral prayers

obligations, (*wājibāt al-mukhayyara*),[39] because obeying them in strictly religious matters already falls under the command of obeying Almighty Allāh and His Messenger (*ṣ*). The verse, therefore, in his view, does not promote practicing *taqlīd* of the scholars' opinions, but merely suggests obeying the political leaders who are dependent on the advice of their subjects regarding war strategy, the political governing of their territories and securing benefit for the slaves. The Qurʾān and Sunna furthermore, according to him, suffice for all religious matters.[40]

For Shawkānī though, the verse of referral points towards a completely different understanding. The phrase "*If you have a dispute about anything…*" in his opinion, clarifies that if the believers are faced with any religious matter, great or small; whether in worship or belief, they should all refer it to the Qurʾān and Sunna. Doing so would be a sign of faith and refusing to do so would show a lack of it. The believing man or woman, he continues, does not have a choice in any matter after Almighty Allāh and His Messenger have decided an issue according to the Qurʾānic verse.[41] Therefore, it would seem that Shawkānī's understanding of the verse of referral is in harmony with that of asking the people of the scripture. Hence, the onus rests with the protagonists of *taqlīd* to successfully reconcile these two verses to show the permissibility of *taqlīd*.

Besides these two main Qurʾānic verses, the partisans of *taqlīd* have also resorted to many ḥadīth texts of which we will mention a few. The Yemeni *mujtahid*, Ibn al-Amīr, has cited some of these proofs in his *Irshād al-nuqqād ilā taysīr al-ijtihād* and has endeavoured to answer them. He argues that the ḥadīth "Why did they [i.e., the Companions (*ra*)] not ask when they did not know? The cure for ignorance is to ask"[42] cited in support of *taqlīd* is done so out of context. The Prophet (*ṣ*), according to him,

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and building hospitals. Cf. Kamali, *Principles of Islamic Jurisprudence* (Cambridge: The Islamic Texts Society, 1991), p. 325.

[39]The unquantified obligation can be illustrated whereby the person has to fulfill an obligation, which the *sharīᶜa* has not specified and the judge can use his discreationary powers to enforce the ruling such as the flogging (*taᶜzīr*) penalties. Cf. Kamali, *Principles of Islamic Jurisprudence*, p. 326.

[40]Cf. Shawkānī, *al-Qawl al-mufīd* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, vol. 5, pp. 2183-4.

[41] Shawkānī, *Qaṭruʾl-walī*, p. 318.

[42]*Abū Dāwūd*, *Ṭahāra*, ch. 127 (ḥadīth 336-7).

rebuked the Companions (*ra*) who informed him about an incident in which they gave a *fatwā* based on their personal opinion to the person who injured himself while on travel and then needed a ritual bath (*ghusl*) after having had a wet dream. The Companions (*ra*) insisted he should take a ritual bath whereas in fact he could perform ritual ablution with dust on the injured part. Therefore, based on their negligence the Prophet (*ṣ*) prayed against them saying: "They killed him, may the Almighty Allāh fight them", and judging by the Prophet's (*ṣ*) reaction, giving *fatwā* without scriptural backing shows that it is unlawful to do so based on *taqlīd*. Whenever the Prophet (*ṣ*) prayed against anyone, Shawkānī continues, this meant his action was unlawful, which makes the ḥadīth a proof for invalidating *taqlīd*.[43]

Another proof cited in favor of *taqlīd* is the ḥadīth of the laborer (*al-ᶜasīf*) who committed fornication with the wife of his employer. Relating the incident his father said: "I asked the scholars [about the matter] and they replied my son should receive a hundred lashes and be banished [from his village] for a year". The advocates of *taqlīd* claim that the Prophet (*ṣ*) did not object to the father practicing *taqlīd* of someone who was more learned than he is. Ibn al-Amīr responded that the father asked the scholars about the Prophet's (*ṣ*) Sunna and they gave their *fatwā* based on it[44] and, therefore, it supports the Qurʾānic verse [about the fornicator];[45] besides, he asked the scholars about the Qurʾān and Sunna, not their opinions.[46]

The *muqallids* use another ḥadīth: "Follow my Sunna and the Sunna of the rightly guided caliphs after me, Abū Bakr and ᶜUmar [*ra*], follow ᶜAmmār's guidance and cling to the covenant of Ibn ummi ᶜAbd". Ibn al-Amīr asserts that being guided by these illustrious Companions (*ra*) means accepting and following the Qurʾān and Sunna,

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[43]Muḥammad b. Ismāᶜīl al-Amīr al-Ṣanaᶜānī, *Irshād al-nuqqād ilā taysīr al-ijtihād* in *Majmūᶜa al-rasāʾil al-Munīriyya*, 2 vols. (Cairo: Idāra al-Ṭibāᶜa al-Munīriyya, 1921), vol. 1, p. 41-2 (hereinafter *Irshād al-nuqqād*).

[44]According to the ḥadīth, the father was first given a wrong *fatwā* that his son should give a hundred camels as expiation for his sin before he consulted the scholars about the correct verdict. Cf. *Bukhārī*, *Aḥkām*, ch. 39 (ḥadīth 7193-4); *Muslim*, *Ḥudūd*, ch. 5 (ḥadīth 25); *Tirmidhī*, *Ḥudūd*, ch. 8 (ḥadīth 1433); *Abū Dāwūd*, *Ḥudūd*, ch. 25 (ḥadīth 4445); *Ibn Māja*, *Ḥudūd*, ch. 7 (ḥadīth 2549).

[45]Cf. *s*. 24 v. 2.

[46]Ibn al-Amīr, *Irshād al-nuqqād*, p. 42.

calling towards them and forbidding *taqlīd*, because they never practiced it. He continues that it has been reliably reported that Ibn ummi ᶜAbd, that is, ᶜAbd Allāh b. Masᶜūd, forbade *taqlīd* in the following words: "No man should be a sycophant without insight". He further argues that the caliphs never discarded the Sunna for the opinion of anyone else. The caliphs' way was that of the Qurʾān and Sunna and, therefore, following them means following the Qurʾān and Sunna.[47] He takes the *muqallids* to task saying:

> You *muqallids* do not follow Abū Bakr or ᶜUmar [*ra*] and do not accept their opinions as legal proof. To the contrary, you [blindly] follow the [later Shāfiᶜī] scholars who followed the four imams and you deemed it unlawful to follow anyone other than them. Why do you not act on this ḥadīth? If it indeed served as a proof for *taqlīd*, then you are the first to have abandoned it.[48]

Ibn al-Amīr's accusation directed at the *muqallids* that they have abandoned the original *madhhab* of their imams favoring instead the later speculative scholars in the *maddhab* is not without basis. The Shāfiᶜī scholar, Abū Shāma (d. 665/1266), explains that in the time of al-Shāfiᶜī, before the formulation of the *madhhabs*, there were many *mujtahids* who openly disagreed with one another based on the Qurʾān and Sunna. When the four Sunnī *maddhabs* were finally formulated, based on the legal works of their founders, the practice of *taqlīd* started and the *muqallids* started following scholarly personalities whereas previously following anyone other than the Messengers was deemed unlawful. He laments that their imams' opinions started having the same authority as the Qurʾān and Sunna and that the following Qurʾānic verse clarifies this: "*They have taken their rabbis and monks as lords besides Allāh…*".[49] Abū Shāma further explains that the fanaticism of the Shāfiᶜīs reached the stage when one of their scholars was given a proof from the Qurʾān and reliable Sunna, which contradicted the

[47]Ibid., p. 44.
[48]Ibid.
[49]*s*. 9 v. 31.

maddhab, he would expend his efforts to disprove it with any unintelligent interpretations he could manage to protect the *maddhab*.[50]

He further explains that *raʾy* finally made its way into the Shāfiᶜī *maddhab*. Based on his account this could possibly be a reference to the speculative Ashᶜarī scholars' affiliation to the Shāfiᶜī *maddhab*. In discussing the scholarly conduct of the Shāfiᶜī scholars such as al-Juwaynī (d. 478/1085) and al-Ghazālī (d. 505/1111), Abū Shāma asserts that they have resorted to adding words to certain ḥadīths and omitting parts from others to defend their legal opinions. The fanatical followers of al-Ghazālī and al-Shīrāzī (d. 467/1074) would also, without any shame, reject the saying of Abū Bakr and ᶜUmar (*ra*) proclaiming that al-Shāfiᶜī's later opinion holds that the opinion of a Companion (*qawl al-ṣaḥābī*) does not qualify as a legal proof. At the same time, however, they would accept the opinions of al-Ghazālī and al-Shirāzī, which sometimes contradicted the clear ḥadīth text. Al-Shirāzī and some other Shāfiᶜī scholars, according to Abū Shāma, have continuously tried to disprove al-Muzanī (d. 264/877) and other earlier Shāfiᶜī scholars when their rulings clashed with that of the Shāfiᶜī *madhhab*. Abū Shāma agrees with the Yemeni *mujtahids* that *ijtihād* was much easier for the later generations for someone with a good memory and understanding and with a good grasp of the Arabic language because of the compilation of the ḥadīth works.[51]

The testimony of Abū Shāma allows us a critical look at the development of his *maddhab* along jurisprudential lines. Another Shāfiᶜī scholar, the father of the famous al-Juwaynī, has written a treatise about the literal acceptance of Almighty Allāh's characteristics without comparison which contradicts the predominant Ashᶜarī Shāfiᶜī view of negating these qualities through interpretation (*taʾwīl*) or referring its meaning to Almighty Allāh (*tafwīḍ*). He regrets that his respected teachers, the Ashᶜarī Shāfiᶜīs, negated Almighty Allāh's Divine qualities.[52] It would also appear that al-Shāfiᶜī

[50]Abū Shāma, ᶜAbd al-Raḥmān b. Ismāᶜīl b. Ibrāhīm, *Mukhtaṣar kitāb al-muʾammal liʾl-radd ilā ʾl-amr al-awwal* in *Majmūᶜa al-rasāʾil al-Munīriyya*, vol. 1, p. 25-6.
[51]Ibid., pp. 26-36.
[52]Abū Muḥammad ᶜAbd Allāh b. Yūsuf al-Juwaynī, *Risāla fī ithbāt al-istiwāʾ waʾl-fawqiyya wa masʾala al-ḥarf waʾl-ṣawṭ fī ʾl-Qurʾān al-majīd* in *Majmūᶜa al-rasāʾil al-Munīriyya*, 4 parts in 2 vols. (Cairo: Idāra al-Ṭibāᶜa al-Munīriyya, 1921).

himself had a literalist bent because of his excommunication of anyone who does not accept the Divine characteristics as being literal without any comparison or likeness.[53] The mounting body of evidence supplied by the Shāfiᶜī scholars such as Abū Shāma, al-Juwaynī's father and even the founder of the *madhhab* suggests there was a major theological shift in the Shāfiᶜī *maddhab* caused by the later speculative Ashᶜarī scholars. Therefore, research to compare the works on *fiqh* and *ᶜaqīda* of al-Shāfiᶜī and his immediate students with that of the later Ashᶜarī Shāfiᶜī scholars affiliated to the *madhhab* is needed to determine the originality of the later Shāfiᶜī *maddhab*. Such a study will inevitably give more insight into the legitimacy of *taqlīd* as perceived by the different contending factions within the Shāfiᶜī *maddhab*. Our study has merely tried to give an outsider's view, particularly that of the Yemenis, in favor of *ittibāᶜ*

[53] *Bukhārī*, *Tawḥīd*, ch. 22 vol. 15, p. 365.

5. The text

The translation is sourced from the edited version of *Qaṭruʾl-walī* by Ibrāhīm Ibrāhīm Hilāl. It is difficult to read at times, because it is a photopied reproduction of the original. Hilāl has added explanatory footnotes and biographies of the scholarly figures mentioned in the text. Although he has referenced the Qurʾānic verses, he has not done so with the ḥadīth texts. He has also referenced Shawkānī's citations from his own as well as other sources. Hilāl also explains certain difficult words in the text.

For his study, Hilāl has depended on two manuscripts, which he has numbered (أ) and (ب) respectively. The (أ) manuscript, according to Hilāl, is in the handwriting of Shawkānī which he found at the Jāmiᶜ al-Kabīr library in Sanaa in one volume together with another of Shawkānī's treatises titled *Nathr al-jawhar ᶜalā ḥadīth Abī Dharr* referenced as no. 866-ḥadīth. At the time of copying the manuscript, Hilāl says, it was in a good condition, displaying no holes, corrosion, damage, or disfigurement, which affects the legibility of the manuscript or its continuity. The manuscript has 136 pages of average size in Shawkānī's handwriting. Shawkānī's handwriting is in Arabic shorthand, and can be described as being in haste and is mostly without any dots on the letters. According to Hilāl there are many strike throughs regarding wrong Qurʾānic verses, repetition of the same words and omissions as well as some missing letters, misspelling of others and no chapters or headings. Hilāl puts this down to the fact that the manuscript was an unrevised rough draft as the copyist from Shawkānī's manuscript mentions. Other peculiarities of (أ) include writing the Arabic letter *ḍāḍ* (ض) as a *ẓāʾ* (ظ) or sometimes joining two words which should be separated as well as dropping the Arabic lengthening (*madd*) and omitting the letter *hamza* (أ) in the middle of the word. Despite Shawkānī being an authority on grammar there are also some dictation and grammar mistakes. On the last page of (أ) some comments of three scholars appear, with their commendation, signatures, including that of Shawkānī.

The second manuscript (ب) Hilāl found at Dār al-Kutub al-Miṣriyya referrenced as no. 564-ḥadīth in Maktaba al-Taymūriyya which was transcribed from Shawkānī's personal

manuscript by an unknown copyist in 1240 A.H. Shawkānī's student, Muḥammad b. Aḥmad al-Shāṭibī, checked it and verified it as one of his teachers works after its completion. This manuscript has 224 pages of average size and is in a good condition with some holes, which hinder the legibility of certain letters. The transcriber has copied all Shawkānī's mistakes and has added a few of his own such as omitting a word, misspelling or sometimes even omitting a line or Qurʾānic verse, which can be found in the original of Shawkānī's manuscript. He, however, has improved on the original manuscript by either adding words, which are missing from the original, but blends in with Shawkānī's style and his intended meaning. Similarly, he has added certain letters, which conforms to linguistic style. The manuscript (ب) has some footnotes, which explain certain words or adds other information. This manuscript also has no chapters or headings.

6. Summary of *Qaṭruʾl-walī*

Shawkānī starts his work with a brief introduction in which he gives Ibn Ḥajar's inadequate commentary on the ḥadīth of the *walī* as the main reason for embarking on a separate work on the issue. He briefly explains the linguistics of his title after which he classifies the ḥadīth as a Divine tradition (*ḥadīth qudsī*)

What appears to be for the sake of ease, the editor of *Qaṭruʾl-walī*, Ibrāhīm Hilāl, has divided the text into the four main parts of the ḥadīth. In the first chapter Shawkānī defines the *awliyā'* and divides them into three categories; the one who wrongs his own self by sinning constantly (*ẓālimun linafsih*) the moderate believer (*muqtaṣid*), and the forerunner in the doing of good (*sābiqun biʾl-khayrāt*). Here, he briefly discusses the fallibility of the non-prophets among the *awliyāʾ* and upholds that they should constantly guard against apparent extraordinary happenings occurring to them. He urges them to continuously weigh these occurrences against the noble Qurʾān and Prophetic Sunna for their undisputed credibility and also warns against the extraordinary abilities of the charlatan *awliyāʾ* such as the innovators and sinners among the believers. He claims that even the disbelievers can cause such, since they solicit the help of the demons (*al-jānn*) and resort to the devil. Now he turns to discuss the genuine *awliyāʾ* and touches on their ability to predict future events and sketches their personalities as those believers whose prayers Almighty Allāh readily answers and who show contentment with Him in all their affairs.

This he follows up with the problem posed by Ibn Ḥajar about the seeming hostility of the *walī* against someone, whereas his distinguished status demands of him to display the qualities of maturity, wisdom, and forgiveness. Ibn Ḥajar argues that hostility happens between two disputing parties and does not come from one party alone. Shawkānī answers that disputes mostly occur between the *walī* and the enemies of Almighty Allāh. The hostility that the *walī* displays towards his opponent, he says, is his moral duty to defend his religion.

He continues to clarify the confusion between worldly and religious needs, worldly and religious commands, worldly and religious decrees, and worldly and religious prohibitions. For all of these different categories he cites Qurʾānic proofs.

After that, he discusses the Companions' (*ra*) status as *awliyāʾ*, which is an issue that the Shīʿa factions have vigorously challenged. He points out that they resorted to defaming the Companions (*ra*) and that their main aim was to destroy the Sunna of the Prophet (*ṣ*).

Next, he highlights the ulema's share of *wilāya* and describes their action, which had brought them such honor. Almighty Allāh, according to him, has raised their status, because they continuously warn the slaves of false ḥadīth reports and false interpretations of the Qurʾān. They further clarify religious matters to the laity and protect the *umma* from *taqlīd*.

From this point onwards[1], Shawkānī discusses the need for *ijtihād* and explains *taqlīd* as accepting a scholar's opinion in any given religious issue without knowing his proof for it. He condemns this in the harshest tone and provides statements by the four famous Sunnī imams[2] who urged their followers not to follow their opinions, but to follow the legal proofs in their affairs. Shawkānī insists that he does not expect the non-scholars to know all the religious proofs, but they should refer all religious issues to the scholars, something, which the noble Qurʾān commands them to do.[3] Here he digresses somewhat and touches on some of his personal trials with the *muqallids* of Yemen, while he was actively teaching, and refers the reader to one of his works regarding these incidents.[4]

He asserts that the *madhhabs* were never void of *mujtahids* and that they would sometimes conceal their abilities to perform *ijtihād* fearing the harm of the *muqallids*.

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[1]Shawkānī devotes nearly a third of the first chapter to discussing the issue of *ijtihād* and *taqlīd*.
[2]al-Shāfiʿ, Mālik, Abū Ḥanīfa and Aḥmad b. Ḥanbal (*r*).
[3]*s*. 21 v. 7.
[4]Cf. Shawkānī, *Adab al-ṭalab*, pp. 98-105.

Taking great pride in the Yemeni legacy of performing *ijtihād*, he praises his teachers and their predecessors and traces their method back to that of the Prophet's (*ṣ*) Companions (*ra*). The Companions (*ra*), he remarks, did not follow any institutionalized *madhhab*, and never allowed *taqlīd* to restrict their intellectual thought.

In chapter two, Shawkānī deals with the practical part of the ḥadīth. Here, he does not deal with the obvious compulsory duties such as prayer (*ṣalāt*) and fasting (*ṣawm*). Rather, he discusses abstention from sin (*tark al-maᶜāṣī*) as a compulsory duty. He further discusses the deceit of some slaves to avoid performing compulsory duties or to engage in unlawful acts. A case in point, he notes, is the Prophetic ḥadīth that forbids anyone to marry an irrevocably divorced woman, to make her permissible for her first husband.[5] He cites their textual arguments, such as Prophet Joseph (Yūsuf) who deceived his brothers by placing the king's bowl into Benjamin's (Binyamīn) bag, and responds to them.

Shawkānī argues, these incidents never intended to circumvent the *sharīᶜa*, but happened for certain reasons. Joseph's *sharīᶜa* allowed his conduct but the *sharīᶜa* of Muḥammad (*ṣ*) had abrogated such conduct. Citing other examples of apparent deceit such as the Prophet (*ṣ*) quip with the old woman that no elderly person will enter paradise, he explains as ambiguity in speech. He suggests that any relief granted (*takhfīf*) from existing compulsory duties or an alternative offered to avoid sin (*khurūj min al maʾtham*) conforms to the *sharīᶜa* and is not considered deceit.

Next, he focuses on the voluntary acts which are associated with the compulsory ones such as voluntary prayer, fasting, pilgrimage, and the giving of alms. He deals with remembrance (*dhikr*) separately, since it is not connected to a compulsory duty and he covers the most virtuous remembrance, remembrance at different times, and remembrance of faith (*tawḥīd*). Also under discussion is putting greetings on the

[5]The ḥadīth states: 'Allāh curses the one who makes a woman permissible for her husband (*al-muḥallil*) [after he has divorced her irrevocably] and the husband (*waʾl-muḥallal lahu*) who requested this [act]'. Cf. *Tirmidhī*, *Nikāḥ*, ch. 27 (ḥadīth 1120); *Abū Dāwūd*, *Nikāḥ*, ch. 16 (ḥadīth 2076); *Ibn Māja*, *Nikāḥ*, ch. 33 (ḥadīth 1935).

Prophet (*ṣ*), glorifying Almighty Allāh (*tasbīḥ*), and invocations at different times and places.

After this he emphasizes the importance of belief in predestination (*qadr*) and belief in decree (*qaḍāʾ*) and clarifies the difference between belief (*iman*) and excellence (*iḥsān*). He criticizes the Sufi, Abū al-Qāsim al-Qushayrī's notion of drawing nearer to Almighty Allāh and ends the chapter by stating that the love of Almighty Allāh encompasses both the one performing compulsory and voluntary deeds.

In chapter three, he deals with the effect of Almighty Allāh's love on the life of the *walī*. Here, he addresses the important issue of understanding correctly how Almighty Allāh becomes His servant's sight, hearing, the hand with which he touches, and the feet with which he walks. Trying to reconcile this ḥadīth with other ḥadīth texts,[6] he concludes that the other ḥadīth texts show that Almighty Allāh puts His Light (*nūr*) into these bodily parts.[7] Towards the end of the chapter Shawkānī once again underlines the need for the *awliyāʾ* to weigh their extraordinary happenings (*karāmāt*) against the noble Qurʾān and Prophetic Sunna. This is in response to the people who subject their bodies to extreme exercise (*ahl al-riyāḍa*), mentioned by Ibn Ḥajar, who claimed that if Almighty Allāh protects the person's heart, his thoughts are safeguarded against error.

Chapter four considers the importance of this ḥadīth in ethics and morals. In this chapter, he firstly concentrates on purifying the soul. He emphasizes the importance of the person's motives and cites various Qurʾānic and ḥadīth texts to support his claim. After that, he lists some hidden sins such as suspicion, jealousy, hatred, anger,

[6]Shawkānī uses the following ḥadīth text 'Beware of the believer's intuitive knowledge (*firāsa al-muʾmin*), because he sees with the Light (*nūr*) of Allāh' to prove his point. Cf. *Tirmidhī*, *Tafsir*, ch. *sūra al-Ḥijr* (ḥadīth 3127). He also refers to another ḥadīth documented by al-Bukhārī, wherein the Prophet (*ṣ*) stated: 'O Allāh! Put light in my heart, and put light in my sight, and put light in my hearing…' Cf. *Bukhārī*, *Daʿawāt*, ch. 10 (ḥadīth 6316). Also see *Tirmidhī*, *Daʿawāt*, ch. 31 (ḥadīth 3419) and *Muslim*, *Ṣalāt al-musāfirīn*, ch. 26 (ḥadīth 181) for additions to this ḥadīth.

[7]The method employed by Shawkānī to reconcile religious texts, gives an insight into his literalist style of interpreting the text. It does not mean that he merely takes the meaning of one particular text and then interprets it literally in isolation, as the reader might sometimes mistakenly gather. Rather, he shows his keenness to draw on other textual evidences to reach finality about an issue. In the case of this ḥadīth, he concludes that this does not mean literal union with Allāh, as some Sufis, such as Ibn al-ʿArabī, have suggested.

contempt, and deceit. Also falling under this category is dislike for others and wishing for long-life (*ṭūl al-amal*).

Next, he discusses those who qualify for the station of *iḥsān* and mentions pious fear and humility as its two key elements. Shawkānī is here responding to al-Ṭūfī, mentioned by Ibn Ḥajar in his commentary, who believed that *iḥsān* is a combination of *iman* and Islam. He concludes that *iman* and Islam are preconditions for *iḥsān*, but that *iḥsān* is a different status altogether and not one of the two, nor a combination of both.

Shawkānī now raises the question why the ḥadīth specifically mentions that Almighty Allāh gives to His slave and protects him should he ask.[8] Answering this, he states that this part of the ḥadīth has the benefit of revealing to the slave his high status with Almighty Allāh. Another benefit, according to him, is that it reminds the *walī* of the great status of supplicating as a form of worship. Lastly, it shows that the *walī* will enjoy Almighty Allāh's protection since he does not fall into the category of those addressed as being arrogant not to ask.

Next he responds to the problem cited by Ibn Ḥajar about some of the *awliyāʾ* who supplicate but their prayers remain unanswered. Shawkānī answers that once the person reaches the stage of love (*maḥabba*) where Almighty Allāh becomes his sight and hearing, He will definitely answer all his prayers. The reason why Almighty Allāh does not answer him is that there is some reason which prevents him from reaching this stage. He underlines the need for the *walī* to ask Almighty Allāh continuously, because the Prophet (*ṣ*) never stopped doing so, despite Almighty Allāh having forgiven him all his sins.

After this, he discusses *qaḍāʾ* and *qadar* and explains why Almighty Allāh hesitates in causing the believer to die.[9] According to him, Almighty Allāh waits for the worshipper

[8]The penultimate part of the ḥadīth states: 'If he implores Me [for his needs], I will give him and if he asks for protection I will protect him'.

[9]The last part of the ḥadīth appears with the following wording: "There is nothing more I hesitate in doing than taking the soul of the believer because he dislikes death and I dislike harming him".

to do an act, which will lengthen his lifespan, such as the giving of alms or strengthening family ties or even supplicating.

Shawkānī now addresses the last part of the ḥadīth.[10] He presents several reasons why the *walī* could dislike death. He states this could be because of the difficulty normally experienced with the pains of death or the thought of leaving his family, children, and friends behind. Another reason, he continues, could be that he is dissatisfied with the good deeds he has done during his life and he wants to do more before he dies. It could also be for the sins he has committed and wants to atone for. His dislike could even be because of matters associated with the rights of Almighty Allāh. The *walī's* dislike of death, however, in Shawkānī's view, does not strip him of his faith, nor does it mean that he does not like meeting Almighty Allāh.[11]

Next, he discusses the issue whether only the prophets or their followers know the Unseen.[12] Shawkānī argues that since ᶜUmar (*ra*) was divinely inspired he had the ability to know certain unseen matters and used the war expedition to ᶜIrāq as an example where, while on the pulpit (*minbar*) in Medina, he saw the Companions (*ra*) in a precarious position and addressed them to retreat to the mountain. Through his warning sent from Medina, they overpowered the enemy and won the battle.[13]

[10]See previous footnote.

[11]This could refer to another ḥadīth text which states: "Whoever desires meeting Allāh, He desires meeting him, and whoever dislikes meeting Allāh, He dislikes meeting him". Cf. *Bukhārī*, *Riqāq*, ch. 41 (ḥadīth 6507); *Muslim*, *Dhikr*, ch. 5 (ḥadīth 14); *Tirmidhī*, *Janāʾiz*, ch. 68 (ḥadīth 1066), *Zuhd*, ch. 6 (ḥadīth 2309).

[12]Cf. *s*. 74 v. 26-7.

[13]Shawkānī's use of ᶜUmar (*ra*) as an example of someone knowledgeable about the unseen (*ghayb*) of Allāh is speculative. A distinction should be made between the *ghayb* of people and Allāh's *ghayb*, because it is quite possible for someone to know what is happening in another place and informing others about it. What happened to ᶜUmar (*ra*) can most likely be understood in the context that he was one of the divinely inspired people, and that Allāh, the Great and Mighty, inspired him with knowledge that was of the unseen (*ghayb*) to the army and not of His *ghayb*. Cf. *Qaṭruʾl-walī ᶜalā ḥadīth al-walī*, *al-sayyid* Yūsuf Aḥmad (ed.) (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2001), p. 87.

7. Summary of translation

In his brief introduction, Shawkānī gives the inadequate commentaries of the earlier scholars as the main reason for devoting an entire work to the ḥadīth of the *walī*. Focusing firstly on the chain of narrators, he states there is no need to check the integrity of the ḥadīth narrators in the chain, because of the distinguished place it enjoys in the fortified ḥadīth collection of the meticulous al-Bukhārī. He gives the title for his work as *Qaṭruʾl-walī ʿalā ḥadīth al-walī* (The Later Clarification on the Tradition of the Walī) and explains the first *walī* in the title as originating from the verb *yalī* (that which follows), meaning the rain which follows the first rain of spring.[1] After this, he cites the entire text of the ḥadīth classifying it as a Divine ḥadīth (*ḥadīth qudsī*) and briefly discusses whether the Prophet (*ṣ*) received it directly from Almighty Allāh or through an angelic medium.

Shawkānī now introduces the first part of the ḥadīth "I shall declare war against whoever shows hostility to My *walī*" and cites Ibn Ḥajar's definition of the *walī*. According to him, this definition is the appropriate one supported by the many Qurʾānic verses. After this, he discusses the best *awliyāʾ*, which he says are the prophets, the messengers and the most severely tested; the best of them all being the Prophet (*ṣ*). He then mentions the claim of the Jews and Christians as well as the idolaters that they were the *awliyāʾ* of Almighty Allāh and cites various Qurʾānic texts to refute their claim, after which he dismisses them as the *awliyāʾ* of the devil.

This he follows up with emphasizing that the *awliyāʾ* other than the prophets (*as*) are all fallible and they sometimes err, but should this happen, then it does not exclude them from being of the *awliyāʾ*. The *walī* should also not mistakenly believe that every extraordinary occurrence (*karāma*) and Divine disclosure (*mukāshafa*) happening to him is an honor from Almighty Allāh, because it could be the devil trying to confuse him.

[1]Cf. Edward William Lane, Arabic-English Lexicon, Stanley Lane Pool (ed.), 4 vols. (Cambridge: The Islamic Texts Society, 1877), vol. 4, pp. 2861-2.

Next he discusses the true *mukāshafāt* of the *awliyāʾ* citing the example of ᶜUmar (*ra*) who was described by the Prophet (*ṣ*) as being divinely inspired. Despite his enviable status, ᶜUmar (*ra*) chose to make his referral to the Qurʾān and Sunna when he consulted with the other Companions (*ra*) on religious matters. To strengthen his argument, he cites the ascetics (*zuhhād*) such as Abū Sulaymān al-Dārānī and Junayd al-Baghdādī (d. 297/909) who emphasized the importance of following the Qurʾān and Sunna.

Now he discusses the reason why apparent *karāmat* happen to those who do not follow or act on the Qurʾān and Sunna, because they resort to the *jinn*. He uses different examples to illustrate the point of how the innovators, the people who subject their bodies to extreme exercise (*ahl al-riyāḍa*), and even the insane can cause seeming *karāmāt*. After these examples he returns to discuss the true *karāmāt* of the *awliyāʾ* and describes it as intuitive knowledge which Almighty Allāh places in the soul of the believer.

After this, he discusses the qualities which distinguish the *walī* from others. According to Shawkānī, the *walī* is the believer whose prayers are readily answered, is contented with Almighty Allāh in all his affairs, upholds His compulsory duties, abandons His prohibitions and resists leadership in this world which people contend for. He further shows detachment from this world. He is patient when he receives little provisions and shows gratitude when he receives plentiful provisions. He pays no attention to praise or criticism, wealth or poverty and fame or obscurity. He becomes even more humble and subservient when Almighty Allāh raises him. Furthermore, he has perfect manners, great wisdom, and patience and offers honorable company.

Whoever has all these qualities, in Shawkānī's opinion, is the great *walī* of Almighty Allāh that every believer should accept as such, draw closer to him, and seek blessings by looking at him. Whoever has only some of these qualities then his *wilāya* is proportionate to those qualities which Almighty Allāh has bestowed on him. Correct

faith, he says, is the greatest portal through which one has to enter to reach *wilāya* and its most difficult aspect being belief in Divine destiny.

He now cites many examples of the Companions' (*ra*) *karāmat*. They include the incident of the angels greeting ᶜImrān b. Ḥusayn (*ra*) (d. 52/672) and that of the Successors (*r*) such as Uways al-Qaranī (d. 77/696) (*r*) who was buried in death shrouds he did not previously own and a grave that was already prepared for him. Ending off this part, he states that whoever believes correctly, performs the obligatory duties, stays away from the prohibited matters and increases in the obedience of Almighty Allāh then he is counted among Almighty Allāh's *awliyāᵓ*.

Having digressed somewhat after defining the *walī*, Shawkānī now returns to continue his commentary on the ḥadīth. Now he highlights the issue raised by Ibn Ḥajar that hostilities normally occur between two people, whereas the *walī* should be polite and patient to those who oppose him.[2]

Next, he discusses Ibn Hubayra's view that excludes two disputing *walīs* from the generality of the ḥadīth such as the disputes which happened between Abū Bakr and ᶜUmar (*ra*). Shawkānī responds that not even the *awliyāᵓ* are exempted from disputes involving reclaiming money and loss of life. It is the *walī's* duty to free him from this responsibility, which should not cause him any distress, and he should be more willing than any other person to accept this ruling given against him based on the Qurᵓān and Sunna. Should he have any difficulty with that, Shawkānī continues, this would flaw his *wilāya* and the judge and the plaintiff would then be guiltless.

At the end of this discussion, he draws a distinction between the word *sharīᶜa* as referring to the Qurᵓān and Sunna, on the one hand, and the judge's ruling on the other. The Qurᵓān and Sunna cannot be contradicted at all, whereas the judge's ruling could be right, in which case he should be followed, or it could even be wrong. Shawkānī labels the person a liar who claims there is any other way to get closer to Almighty

[2]See p. 85f for the tabular comparison between Ibn Ḥajar and Shawkānī.

Allāh other than through the Qurʾān and following the Prophet's (*ṣ*) Sunna. Many people, he states, have considered the *sharīʿa* to be the judge's rulings. Based on their confusion about these two categories, Shawkānī explains how confusion has also set in regarding worldly and religious realities in the Qurʾān.

Next, he discusses belief in destiny arguing that it does not act as a proof for the sinners who try to justify their sin. He cites the ḥadīth of Mūsā (*as*) blaming Ādam (*as*) for having eaten from the tree and thereby having mankind expelled from paradise. The ḥadīth, he claims, shows that Mūsā (*as*) blamed Ādam (*as*) for eating from the tree and not because he committed a sin.

After yet another brief digression Shawkānī returns to explain the ḥadīth, this time to discuss the Companions' (*ra*) share of friendship and mentioning the extremist Rāfiḍa's hatred and opposition toward them. He warns about slandering the illustrious Companions (*ra*) of the Prophet (*ṣ*) by using the opinion of al-Nawawī that it is permissible to do so in six cases. He states that if anyone should claim the pure scholars of the *Ahl al-Bayt* slandered the Companions (*ra*) then he has documented fourteen consensuses from their scholars, which proves the contrary.[3]

Next, he goes into the practicing scholars' share of *wilāya* explaining their duty of acting on their knowledge, teaching it to people, and commanding the believers with the good and prohibiting them from evil. The practicing ulema, he states, also fall under the definition of those treated with hostility in the ḥadīth of the *walī*, because they further clarify to the believers the fabricated ḥadīth as well as the erroneous commentary of the Qurʾān by the misguided and obstinate people.

Shawkānī now moves in the direction of *ijtihād* and *taqlīd*, and mentions another category of scholars namely the speculative theologians (*ahl al-raʾy*), and discusses the two different interpretations of the verse "*You who have faith! Obey Allāh and obey the Messenger and those in command among you*". A group of Qurʾānic interpreters, which

[3]For a disagreement with Shawkānī's view see *Revival and Reform in Islam*, pp. 158-64.

includes Ibn ᶜAbbās (*ra*) say "*those in command among you*", refers to the ulema while another group, which includes Abū Hurayra (*ra*) believe that they are in fact the political leaders (*umarāᵓ*). He offers an easy solution to these two opinions saying that in the first case the believers should obey the ulema and in the second case, they should obey the rulers who receive their guidance from the ulema.

Here, he mentions the consensus cited by al-Shāfiᶜī that if a Sunna becomes clear it is not permissible for anyone to leave it for the saying of anyone else as well as that of Ibn ᶜAbd al-Barr that the *muqallid* is not considered amongst the learned. The Companions (*ra*), he continues, only gave *fatwā* based on textually reliable evidence. He further condemns the person who acts as a judge or *muftī* while he is ignorant of the Qurᵓān and Sunna.

After this, he focuses the reader's attention on the Qurᵓān and Sunna being the basis for all judgments and any *qiyās*, which contradicts these two sources, is futile. He, however, allows for certain types of *qiyās* that fall under the original intent of the verse (*dalāla al-aṣl*), which has the same ruling as the primary issue. Shawkānī emphasizes that *taqlīd* means following a scholar's opinion without knowing his legal proof, but if he takes the scholar's proof with his opinion, then this is not considered *taqlīd*.

He argues that even though the many verses condemning *taqlīd* refers to the disbelievers, they refer to them and those like them. On the issue of *taqlīd*, he draws extensively on Ibn ᶜAbd al-Barr's, *Jāmiᶜ bayān al-ᶜilm wa faḍluh*, and ends this section with the words of the companion ᶜAbd Allāh b. Masᶜūd: "Do not follow anyone blindly in your religion, if he believes, you believe and if he disbelieves, you disbelief, because there is no example in evil".

He then relates Ibn ᶜAbd al-Barr's use of an imaginary interlocuter aimed at the *muqallid* who claims to follow a more knowledgeable authority. Ibn ᶜAbd al-Barr argues via the interlocutor that if the *muqallid* claims to have textual support from the Qurᵓān and Sunna, then he has invalidated his claim of being uneducated. Therefore, if the *muqallid* has no textual proof for *taqlīd*, then he should follow all the scholars who

are more knowledgeable than him and not one specific scholar. Shawkānī now uses the statements of the four imams who discouraged all Muslims from practicing *taqlīd* and takes the *muqallid* to task for accepting both the right and wrong opinions of his imam.

After this, he stresses that *taqlīd* never existed in the first three generations of Islam and it is thus a later innovation which should be rejected. He further emphasizes that he does not expect the *muqallid* to know the proofs of the *sharīᶜa*, which will cause him to claim his inability to perform *ijtihād*. Rather, he should be like the non-*mujtahids* of the Companions (*ra*) who would ask any *mujtahid* Companion (*ra*) among them, without restricting themselves to one particular Companion.[4]

He then moves on to discuss the issue whether every *mujtahid* is correct. Such an opinion, in his view, would mean that something could be permissible and impermissible in the *sharīᶜa* at the same time. This, according to him, is impossible and someone holding such an opinion resembles the sophists. After this, he writes numerous poetry verses explaining his difficulty with the Zaydī Hādawī *muqallids* of his time.

Furthermore, he claims that the different *madhhabs* have continuously produced distinguished scholars who ranked as independent *mujtahids*, but they hid their ability to perform *ijtihād* because they feared humiliation at the hands of the *muqallids* and that they would attract the masses at the expense of the founder of the *madhhab*. He lists a few distinguished personalities within the *madhhabs* who qualified as *mujtahids* based on their written works, most of them who condemned *taqlīd*, while only a few of them did so openly and others merely hinted at it. The Yemenis who have reached the status of *ijtihād*, he proudly states, did not follow any *madhhab*. Similarly, those Yemenis who did not master the sciences of *ijtihād* would attach themselves to the

[4]Shawkānī is suggesting that the *sharīᶜa* is contained within the collective legal framework of the various schools of thought rather than one particular *madhhab*. This would mean that the Muslim should follow the *sharīᶜa* by asking the knowledgeable *muftī*, jurist or *mujtahid* about the Qurʾān and Sunna regarding religious matters, whether he is a Shāfiᶜī, Ḥanafī, Mālikī or Ḥanbalī.

Sunna and ask the scholars about their religious matters, without following any particular *madhhab*.

Shawkānī now encourages the political rulers to stop the *muqallids* from practicing *taqlīd*, because they are in reality criticizing the *sharīᶜa* and the Salaf. He regrets that the scholars have not been brave enough by publicly condemning *taqlīd*, and because of their fear of the *muqallids*, this caused the *muqallids* to become even bolder and wicked.

After this long discussion on *ijtihād*, Shawkānī returns to the commentary of the ḥadīth. Towards the end of the chapter he goes into the linguistics of the first part of the ḥadīth "I shall declare war against whoever shows hostility to My *walī…*", which Ibn Ḥajar finds problematic because declaring war (*al-muḥāraba*) happens between the enemy of the *walī* and Almighty Allāh while the person declaring war is under His Command. To this, he replies that the mere declaring of war on Almighty Allāh's side means the immediate destruction of the enemy of the *walī* without him being able to counteract.

8. Analysis of the sources and Shawkānī's style

Shawkānī's literalist bent and continuous call to renewed *ijtihād* outlines the framework of his arguments, which dominates all his writings. A quick glance at his legal works such as *Wabl al-ghamām* (Torrents of the Clouds) and his critique *al-Sayl al-Jarrār* (The Raging Torrent) of Ibn al-Murtaḍā's work, *al-Azhār* (The Flowers), should convince the reader that Shawkānī detested speculative thought (*kalām*). For any given issue, therefore, he firstly consults the textual evidences and then supplies his evidence for the argument he holds. It is in these many citations Shawkānī believed the strength of his arguments lie. Where he does not give the Qurʾānic text literally, he sometimes resorts to giving its meaning such as saying:

> Almighty Allāh has commanded with justice (*al-ʿadl*) and doing good (*al-iḥsān*), giving to your near relatives and He forbids fornication (*al-faḥshāʾ*), evil (*al-munkar*) and tyranny (*al-baghyi*), and He says that He loves the pious (*al-muttaqīn*), charitable (*al-muḥsinīn*), repenters (*al-tawwābīn*) and pure (*al-mutaṭahhirīn*) and those who fight in His way in ranks like well built walls…

In rare instances, however, he mixes the Qurʾānic verses with his own speech without showing that it is a Qurʾānic verse. He mentions, for instance, his opponents envy and continuous plotting against him saying, and the evil plotting only affects those who are guilty of it. This is a Qurʾānic verse, which he has woven into his own speech, and the reader unfamiliar with these Qurʾānic verses will have difficulty separating them from his own words.

He usually argues against his opponents by producing textual evidence in the absence of theirs. In the case where both he and his opponent resort to the same proof, he is forced to go into the linguistics of the words to support his case logically. A case in point is his argument that not every *mujtahid* is correct (*muṣīb*) in his asserted opinion based on the ḥadīth "If the judge judges by *ijtihād* and is correct, he receives two

recompenses; if he judges by *ijtihād* and commits an error, he receives one recompense. He firstly argues that the ḥadīth specifies a *mujtahid* who is right (*fa aṣāba*) and one who is wrong (*fa akhṭaʾa*). Furthermore accepting this reasoning would mean that a matter could be lawful and unlawful at the same time, which is not logically possible. His simple technique of dealing with his opponents by citing countless textual proofs here is not enough and he has to rely on the linguistics of the word. Now and then, he departs from the central theme of *wilāya* to address issues such as *ijtihād*, worldly and religious realities in the noble Qurʾān and predestination (*qadr*).

That Shawkānī thought of himself as a ḥadīth scholar (*muḥaddith*) is clear from his attachment to the Sunnī ḥadīth sources, which he thought gave a greater certainty in religious matters. More specifically, he had much more in common with probably one of the greatest Shāfiʿī ḥadīth commentators, Ibn Ḥajar al-ʿAsqalānī, on whose works such as *Fatḥ al-Bārī* he greatly depended. In what follows, is a comparison of his commentary with that of Ibn Ḥajar to examine the similarities and dissimilarities in the stylistic method of their respective commentaries.

Ibn Ḥajar	Shawkānī
The possibility of someone treating the *walī* with hostility raises a problem, because hostility occurs from two sides whereas the disposition of the *walī* should be that of patience and forgiveness to the one who acts foolishly towards him. This problem can be answered that hostilities are not restricted to worldly dispute and conduct (*al-khuṣūma waʾl-muʿāmala al-dunyawiyya*) for instance. In fact, it could be the result of hatred which stems	I [i.e., Shawkānī] say that it is common knowledge that most religious hostilities happen between a follower (*al-muttabiʿ*) and an innovator (*al-mubtadiʿ*), a believer (*al-muʾmin*) and an immoral sinner (*al-fāsiq*), a pious person (*al-ṣālih*) and an impious person (*al-ṭāliḥ*), a learned scholar (*al-ʿālim*) and an ignoramus (*al-jāhil*) and Almighty Allāh's *awliyāʾ* and His enemies (*aʿdāʾih*). Such clarity requires nothing further and does not pose any problem. A *walī* is not considered a

from fanatical following (*al-taᶜaṣṣub*) such as an extremist *Rāfiḍī* who hates Abū Bakr [*ra*] and an innovator (*al-mubtadiᶜ*) who hates the one who follows the Sunna (al-Sunnī). This is how hostility happens from both sides. As for hostilities happening from the *walī's* side, it is for Almighty Allāh's sake and His cause; as for them happening from the one who opposes him, it is for the reasons we have mentioned earlier. Similarly, the *walī* dislikes the open and immoral sinner (*al-fāsiq al-mutajāhir*) while the immoral sinner dislikes him, because the *walī* disapproves of his actions and continuously prohibits him from his intense yearnings (*shahawātih*). Hostility can also be used more generally and mean that one of the disputing parties does so through action while the other does so with force.	*walī* unless he dislikes the enemies of Almighty Allāh, shows hostility towards them, and disapproves of their actions. **[274]** His hostility towards them and disapproval of their actions are matters on which the correctness of his *wilāya* depends and, therefore, doing so proves its completeness. In this instance His *awliyāᵓ* are His leading slaves in imitating the Prophet (ṣ). When the Prophet (ṣ) became angry for His sake his face became red, his voice became louder until he was like someone warning his people about the approaching enemy saying: "The enemy will reach you tomorrow morning and the enemy will reach you by nightfall (*ṣabbaḥakum wa massākum*)". Similarly is the case of the believer's hostility towards the *fāsiq* and conversely. The believer acts in this way, because Almighty Allāh has compelled him to do so and furthermore, because of his own intense dislike of the *fāsiq* falling into sin, thereby violating Almighty Allāh's prohibitions and overstepping His boundaries. The *fāsiq* could display hostility towards the *walī*, because the *walī* disapproves of his actions, and he fears the *walī* will act against him. It could

	even be because he [i.e., *al-fāsiq*] habitually mocks those who are foremost in obedience. The one who knows their ways, knows this, because they regard their entertainment and amusement as a serene way of life (*al-ᶜaysh al-ṣāfī*) and the way, which the intelligent (*al-ᶜuqalāᵓ*) choose, while they regard those engrossed in Almighty Allāh's obedience as hypocrites and thieves wanting to steal peoples' money. As for hostilities happening between the scholar and ignoramus its matter is clear. The scholar shuns and opposes him, because of his religious ignorance and unwillingness to perform those religious duties the Muslim needs to do. The ignoramus in return treats the *walī* with hostility, because he has achieved this sublime merit and noble quality which is the most honorable quality of religion (*hiya ashraf khiṣāl al-dīn*). The poet says: The ignoramus's status in relation to the scholar is similar to that of the scholar and the ignoramus The one exerts himself regarding his opponent's status and the other one exerts himself even more.

	As for hostilities, raging between the follower (*al-muttabiᶜ*) and innovator (*al-mubtadiᶜ*) the matter is clearer than the sun itself, because the follower treats him with hostility on account of his innovation. The innovator, on the other hand, does so because of the follower's strict adherence to the *sharīᶜa* and because he is on the right way. Clinging to innovation blinds the perception of the innovator's mind and he starts to believe that his error is undoubtedly the correct way (*alladḥī lā shubhata fīh*), while the person following the noble Qurʾān and Sunna is in error. The hostilities of the innovators towards those who follow the Qurʾān and Sunna could become even greater than their hostilities towards the Jews and Christians. Undoubtedly, the *awliyāʾ* of Almighty Allāh have the most generous share of faith, knowledge and imitation of the Prophet (ṣ).

From the above passages, we see that Shawkānī agrees with Ibn Ḥajar about the *walī* showing hostility towards someone else, but prefers to say so in his own words. Ibn Ḥajar focuses on worldly disputes which happen between the *walī* and his antagonist, whereas Shawkānī refers to religious disputes. It is clear that Shawkānī has drawn on the examples of Ibn Ḥajar, but instead of restricting himself to those mentioned by his predecessor, he chose to add a few of his own. In this case, Ibn Ḥajar is specific and

mentions the Rāfiḍī as well as the innovator and immoral sinner (*al-fāsiq*) who hates the Sunnī, whereas Shawkānī explains this hostility to be between the follower and innovator, the pious and impious, the believer and immoral sinner, the scholar and the ignoramus and the *awliyāʾ* and their enemies. When discussing the immoral sinner, Ibn Ḥajar suggests that the *walī* reacts in this way out of his own, because of Almighty Allāh's sake. Shawkānī on the other hand states that the *walī* is compelled to do so and also because he dislikes the immoral sinner committing sin.

Common to both is that they agree the *walī's* hostility is justified, because it is done in defense of Almighty Allāh and His religion. Besides their stylistic approaches, there are no fundamental differences in their commentaries. Stylistically Ibn Ḥajar is more concise and sparing with words while Shawkānī is more detailed. From Shawkānī's use of Ibn Ḥajar's commentary as a basis for his own commentary, one can conclude that he was inspired by al-ᶜAsqalānī's thought. At times, however, he has disagreed with the views of Ibn Ḥajar in his commentary, and can thus better be described as a *mujtahid* citing other scholars but arriving at his own conclusion.

9. Conclusion

He who believes one of Almighty Allāh's *awliyāʾ* can reach Him through
Any other way than the Qurʾān and Sunna and following the Prophet (*ṣ*), is a liar.
Shawkānī[1]

Even though the Sufis have contributed the bulk of literature on the topic of *wilāya*, an extensive discussion on the ḥadīth of the *walī* is conspicuously absent from their works. The only attention it has received from both speculative and popular Sufism is a mere reference to it in their discourses on *wilāya*. From a Salafi perspective, however, Shawkānī has provided the most extensive commentary on the ḥadīth, and chronologically *Qaṭruʾl-walī* is the last of his writings on spirituality dated 1235/1819. His other polemical treatise *al-Sawārim al-ḥidād al-qāṭiᶜa li-ᶜalāʾiq maqālāt arbāb al-ittiḥād* which deals with Ibn ᶜArabī's speculative doctrine of Unity of Being (*waḥdat al-wujūd*) he drafted in 1205/1790 and his response to the grave worshippers in *al-Durr al-naḍīd* he completed in 1213/1798. Historically, *Qaṭruʾl-walī* follows a few centuries after the commentary on the ḥadīth by Ibn Ḥajar in *Fatḥ al-Bārī* and the *Furqān* of his co-literalist Ibn Taymiyya, both on which Shawkānī has drawn from in his own work.

As the title indicates, Shawkānī specifically aimed *al-Ṣawārim al-ḥidād* at refuting the scandalous claim of Unity of Being by the speculative Sufis such as Ibn ᶜArabī. Although there is nothing in the introduction of *Qaṭruʾl-walī* to suggest that Shawkānī set out to refute the Sufis, the content of his commentary distinctly reflect this. Furthermore, his method in *Qaṭruʾl-walī* of referring all religious issues to the Qurʾān and Sunna, directly opposes that of the Sufis who have preferred a more speculative approach. His refutation, therefore, manifests itself in the textual way he has chosen to define the *walī* and *wilāya* as opposed to the speculative way of the Sufis. My research

[1] Shawkānī, *Qaṭruʾl-walī*, p. 282.

has thus proven that Shawkānī has defined *wilāya*, based on the sum total of the textual evidences found in the Qurʾān and Sunna. The authoritative evidences he has used are neither weak nor fabricated ḥadīths, nor are they interpreted in isolation of other textual evidences crucial to the issue. In fact, the proofs Shawkānī has cited collectively articulate the *sharīʿa* view on the issue of the *walī* and *wilāya*. Much in the same way as there has been a break with the earlier individual ascetics (*zuhhād*) in favor of the later systemized Sufi orders, a similar shift from the literalist approach of the earlier scholars in the *madhhabs* to a more speculative approach of the later scholars appeared in the *madhhabs*.

The research of Ḥusayn al-ʿAmrī and Bernard Haykel on Shawkānī as a Yemeni historical and political figure, and reformer of the eighteenth century is an invaluable contribution towards understanding Yemeni socio-religious life and in particular Shawkānī's contribution to reform in the pre-modern era. The translation of a part of *Qaṭruʾl-walī*, according to my best knowledge, is the first rendering of one of his works into English and has thus added to the existing body of English literature available on the author. Recently the Muslim community has been awakened by the modernist call for a re-look at the sacred texts, which in itself is a call for renewed *ijtihād*. An insight on Shawkānī's views on *ijtihād* and *ittibāʿ*, therefore, today has significant importance for those interested in researching *ijtihād* in the modern era.

10. Notes on translation

All languages have a unique linguistic style, which distinguishes one language from the other. Therefore, to reproduce the translation in the target language successfully, the form of the target language needs to be adjusted. In the opinion of Eugene Nida, the translator has to aspire to reproduce the translation in the target language rendering the nearest natural equivalent of the source language message both in meaning and in style.[1]

The translation in the target language is aimed at the readership of that language and thus takes preference over the style of the source language. Therefore, in the translation, I have given priority to the meaning of the text at the expense of stylistic faithfulness. Shawkānī's own preference for an exoteric reading of the sacred texts has helped to transport to the reader the meaning he has intended. For a literalist such as Shawkānī assigning the literal meaning to words is important. However, this does not mean that the translation focuses on individual words. To the contrary, these words are placed within their particular context and the meaning is understood from it.

At times, an addition to the author's words was necessary to give greater clarity in the translation. Stylistically in the Arabic language, it is common to use the personal pronoun and the demonstrative noun such as *hādhā* meaning "this" extensively, because of lengthy sentences. A mere translation of these particles of speech could cause ambiguity or even confusion to the reader. I have thus replaced them with the meaning they represent. Similarly, repetitions are commonplace in the Arabic language and for the sake of conciseness, replacing them with pronouns seemed the best alternative. Sometimes I have had to break down lengthy sentences, which comprised of several ideas keeping the reader in mind.

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[1]Cf. Eugene Nida, *The Theory and Practice of Translation* (Leiden, E.J. Brill, 1974), pp. 5, 12.

The square brackets with numbers, in the translation, show the corresponding page number of the translated text. Whenever the need arose to clarify something in the text, I have used square brackets to do so. I have also used the square brackets to convey an invocation on the Companions (*ra*) or scholars where Shawkānī has failed to do so. I have abbreviated certain Arabic invocations: (*ra*) for *raḍiya Allāh ᶜanhu* or *ᶜanhum* (May the Almighty Allāh be pleased with him or them); (*r*) for *raḥimahu* Allāh or *raḥimahum* (May the Almighty Allāh have mercy on him or them); (*ṣ*) for *ṣalla Allāh ᶜalayhi wa sallam* (May the Peace and Blessings of the Almighty Allāh be showered on him); (*as*) for *ᶜalayhi al-salām* or *ᶜalayhim al-salām* (May the Almighty Allāh shower peace on them) and (*s*) for *sūra*.

[II] The Translation

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INTRODUCTION

In the Name of Allāh the Beneficent the Merciful

May the peace and blessings be showered on the leader of the Messengers, [i.e., Muḥammad (*ṣ*)] his noble family, and may the Almighty Allāh be pleased with his chosen Companions [*ra*].

Since the ḥadīth "I shall declare war against whoever shows hostility to My *walī*…" yields many useful benefits and is of sublime importance to the one who has correct understanding and ponders over them deservingly, I wish to deal with it in a separate work to disseminate some of its virtues according to my ability and understanding. How deserving is it to be a complete work, since it contains phrases considered pearls; each one containing many benefits, some you will encounter later. Why not, since it was recounted from Almighty Allāh by the Prophet (*ṣ*) who possessed comprehensive yet concise speech; the most eloquent Arab, the best person in the world overall, the greatest creation, and the leader of humanity?

The ḥadīth commentators (*r*) have not given the ḥadīth the commentary it deserves. **[230]** Ibn Ḥajar (*r*) has devoted merely three pages to it in *Fatḥ al-Bārī*, despite his commentary being the most extensive on [*Ṣaḥīḥ*] *al-Bukhārī*, the most probing, and comprehensive in benefit. The chain of narrators needs no further discussion as the ḥadīth scholars have unanimously agreed the ḥadīths of the *Ṣaḥīḥayn* [i.e., the two famous ḥadīth compilations of al-Bukhārī and Muslim] or one of them are all accepted and agreed on their reliability. Their consensus, therefore, dispels any doubt.

The great ḥadīth scholars have vigorously deflected the attempt of anyone who dared to criticize a ḥadīth contained in them and have competently clarified its reliability. Criticizing the narrators of the *walī's* tradition, after this clarification, therefore, does not

add anything new worthy of consideration (*lā yaʾtī bi-fāʾida yuᶜtaddu bi-hā*). All its narrators have with excellence passed the litmus test (*jāzū al-qanṭara*), were exempted from criticism (*al-qīl waʾl-qāl*), **[231]** and have withstood the defamation of the slanderer and the criticism of the critic.

I have titled my work *Qaṭruʾl-walī ᶜalā ḥadīth al-walī* (The Later Clarification on the Tradition of the Walī). [On the point of linguistic meaning] it is stated in the *Ṣiḥāḥ* [an Arabic-Arabic dictionary compiled by al-Jawharī d. 398/1007]: "*Walī* means the rain after the first spring rains. *Walī* is so called, because it follows the first rains of spring".[1] Abū Hurayra has narrated the ḥadīth with the following wording in [*Ṣaḥīḥ*] *al-Bukhārī*: "The Messenger (*ṣ*) of Almighty Allāh said, indeed Almighty Allāh says:

> I shall declare war against whoever shows hostility to My *walī*. And nothing is dearer to Me than the worshipper seeking My presence with the obligatory acts. He continuously seeks My presence by performing the voluntary acts (*nawāfil*) until I love him; when I love him I then become his hearing with which he hears, his sight with which he sees, his hand with which he grips and his leg with which he walks. If he implores Me [for his needs], I will give him, and if he asks for My protection I will protect him. I am the most hesitant in taking the soul of the believer, because he dislikes death, and I dislike harming him'".

[232] The Prophet's (*ṣ*) statement: "Indeed Almighty Allāh says" suggests it is one of the Divine traditions (*al-aḥādīth al-ilāhiyya al-qudsiyya*). He could either have received it directly from his Lord or possibly via the angel [Gabriel-*Jibrīl* (*as*)]. **[233]** Al-Kirmānī (d. 786/1384) said: "The ḥadīth could be one of the Divine revelations, but could also be to clarify reality (*li-bayān al-wāqiᶜ*). The first opinion, however, is the preferred one".[2]

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[1]Ismāᶜīl b. Ḥammād al-Jawharī, *Tāj al-lugha wa ṣihāḥ al-ᶜArabiyya*, Aḥmad ᶜAbd al-Ghafūr ᶜAṭṭār (ed.), 6 vols. (Beirut: Dār al-ᶜIlm liʾl-Malāyīn, 1984), vol. 6, pp. 2528-31 (hereinafter *Tāj al-lugha*).

[2]Aḥmad b. Ḥajar al-ᶜAsqalānī, *Fatḥ al-Bārī bi-sharḥ Ṣaḥīḥ al-Bukhārī*, ᶜAbd al-ᶜAzīz b. ᶜAbd Allāh b. Bāz (ed.) 15 vols. (Beirut: Dār al-Fikr, 1996), vol. 13, p. 144 (hereinafter *Fatḥ al-Bārī*).

Certain narrations confirm the Prophet (*ṣ*) recounted it from *Jibrīl* (*as*) who recounted it from Almighty Allāh.

[237]

CHAPTER ONE

Who is the saint (*walī*) [of Almighty Allāh]?

1.1 The definition of the *walī*

The Prophet's (ṣ) statement: "…whoever shows hostility to My *walī*"

[Al-Jawharī] stated in *al-Ṣiḥāḥ*: "The *walī* is the opposite of an enemy".[3] *Wilāya* contrasts hostility and according to the linguists, love and seeking Almighty Allāh's presence form the basis of *wilāya*. Hatred and remoteness from Him, in contradistinction, form the basis of hostility. Ibn Ḥajar al-ᶜAsqalānī further stated in *Fatḥ al-Bārī*: "The *walī* of Almighty Allāh is defined as he who knows Him,[4] constantly obeys, and sincerely worships Him".[5] His interpretation is the most suitable for the *walī* attached to His Name as borne out by the following Qurʾānic verses:

> *Yes, the friends of Allāh will feel no fear and will know no sorrow: those who have iman (faith) and show taqwā (pious fear of God), there is good news for them in the life of the dunyā (world) and in the ākhira (Hereafter). There is no changing the words of Allāh. That is the great victory!*[6]
>
> *Allāh is the Protector (Walī) of those who have iman. He brings them out of the darkness into the light.*[7]
>
> *You who have iman! If any of you renounce your dīn (religion), Allāh will bring forward a people whom He loves and who love Him, humble to the muʾminūn (believers), fierce against the kāfirūn (disbelievers), who*

[3] *al-Jawharī*, *Tāj al-lugha*, vol. 6, pp. 2528-31.
[4] Knowledge here refers to knowledge of His Divine omnipotence (*tawḥīd al-rubūbiyya*) and exclusive right to worship (*tawḥīd al-ulūhiyya*).
[5] *Fatḥ al- Bārī*, vol. 13, p. 144.
[6] *s*. 10. v. 62-64.
[7] *s*. 2 v. 257.

> *engage in jihād (religious fighting) in the way of Allāh and do not fear the blame of any censurer. That is the unbounded Favor of Allāh, which He gives to whoever He wills. Allāh is Boundless All-Knowing. Your friend is only Allāh and His Messenger and those who have faith: those who perform ṣalāt (prayer) and pay* **[238]** *zakāt (compulsory taxes) and bow* [in dutiful devotion]. *Whosoever takes Allāh as their friend, as well as the Messenger and those who have faith,* [let him know that] *the party of All§h will be the victorious ones!*[8]

Moreover, there are many other Qurʾānic verses beside those cited. The *awliyāʾ* are, therefore, the genuine and sincere worshippers who adhere to His obedience (*al-qāʾimūn bi- ṭāᶜatih*).

1.2 The most excellent *awliyāʾ*

The best *awliyāʾ*are the prophets and the messengers among them are the most excellent and forbearing ones; Nūḥ, Ibrāhīm, Mūsā, ʿIsā and Muḥammad (*ṣ*). The Prophet Muḥammad (*ṣ*) to whom Almighty Allāh has revealed: "*Say, If you all really do love Allāh, then take me* [as a worthy exemplar] *and Allāh will love you and forgive you*" is the best among the most forbearing ones.[9] Therefore, true love, according to Him, depends on following the Prophet (*ṣ*), and imitating him leads to gaining His love.

The Jews and the Christians [falsely] claimed to be the children of Almighty Allāh, His beloved ones and *awliyāʾ*. [He responded to their false claim saying]:

> *Say: 'Why, then, does He punish you for your wrong actions? No, you are merely human beings among those He has created. He forgives whoever He wills and He punishes whoever He wills. The kingdom of the heavens*

[8] *s*. 5 v. 54-56.
[9] *s*. 3 v. 31.

> *and the earth and everything between them belongs to Allāh. He is our final destination'.*[10]

In fact, **[239]** they further claimed none will enter paradise unless he shared their faith:

> *They say, 'No one will enter the Garden except for the Jews and Christians.' Such is their vain hope. Say, 'Produce your evidence if you are telling the truth'. Not so! All who submit themselves completely to Allāh and are good-doers will find their reward with their Lord. They will feel no fear and will know no sorrow.*[11]

Rather, the Arabs of the Arabian Peninsula made a similar claim as He reports about them:

> *When those who are kāfir (disbelievers) were plotting against you to imprison you or kill you or expel you: they were plotting and Allāh was plotting, but Allāh is the best of those who plot.* (Until) the verse: *They are not its guardians. Only people with pious fear of God can be its* [i.e., al-Masjid al-Ḥarām] *guardians. But most of them do not know that.*[12]

In reality, they are the *awliyāʾ* of the devil (*awliyāʾal-shayṭān*) according to Him:

> *Those who have iman fight in the way of Allāh. Those who are kāfir (disbelievers) fight in the way of false gods (ṭāghūt). So fight the friends of Shayṭān (Devil). Shayṭān's scheming is always feeble.*[13]

He also states [about the friends of the devil]:

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[10] *s*. 5 v. 18.
[11] *s*. 2 v. 111-12.
[12] *s*. 8 v. 30-34.
[13] *s*. 4 v. 76.

Whenever you recite the Qurʾān, seek refuge with Allāh from the accursed Shayṭān. He has no authority over those who have iman and who put their trust in their Lord. He has authority only over those who take him as a friend and associate others with Allāh.[14]

When We said to the angels, 'Prostate yourselves to Ādam', they prostrated except for Iblīs [i.e., the Devil]. *He was one of the jinn and wantonly deviated from his Lord's Command. Do you take him and his offspring as protectors apart from Me when they are your enemy? How evil is the exchange the wrongdoers make!*[15]

[240] *Anyone who takes the Shayṭān as his protector (walī) in place of Allāh has clearly lost everything.*[16]

Allāh is the Protector (Walī) of those who have iman. He brings them out of the darkness into the light. But those who are kāfir have false gods as protectors. They take them from light into darkness… [17]

It was only the Shayṭān frightening you through his friends. But do not fear them-fear Me if you are muʾminūn.[18]

We have made the shayṭāns friends of those who have no iman.[19]

They took the shayṭāns (devils) as friends instead of Allāh and thought they were guided.[20]

The shayṭāns inspire their friends to dispute with you. If you obeyed them, you would then be mushrikūn (polytheists).[21]

The intimate Friend of Almighty Allāh (al-Khalīl (*ṣ*))[22] said [about the friends of the devil]: "*My dear father, I am afraid that a punishment from the All-Merciful* [i.e.,

[14] *s*.16 v. 98-100.
[15] *s*. 18 v. 50.
[16] *s*. 4 v. 119.
[17] *s*. 2 v. 257.
[18] *s*. 3 v. 175.
[19] *s*. 7 v. 27.
[20] *s*. 7 v. 30.
[21] *s*. 6 v. 121.
[22] This refers to the prophet Ibrāhīm (*as*).

Almighty Allāh] *will afflict you, and may turn you into a comrade of Shayṭān*".[23] The *Ṣaḥīḥayn* and other ḥadīth works confirm the Prophet (*ṣ*) said: "The household of x (*abū fulān*) are not my *awliyāʾ* (protectors); Almighty Allāh is my *Walī* (Protector) and the pious believers".[24] The last ḥadīth resembles His statement:

> *But if you* [i.e., the wives of the Prophet (*ṣ*)] *support one another against him* [i.e., Prophet (*ṣ*)], *Allāh* **[241]** *is his Protector and so are Jibrīl (Gabriel) and every right-acting man of the muʾminūn and, furthermore, the angels too will come to his support.*[25]

1.3 The different categories of the *awliyāʾ*

Imam Taqī al-Dīn Ibn Taymiyya (*r*) said [in his work]: (chapter):[26]

> Almighty Allāh's *awliyāʾ* are divided into two categories: the leading and near (*sābiqūn muqarrabūn*), and the virtuous, moderate believers stationed at His Right-Hand (*abrār aṣḥāb yamīn muqtaṣidūn*), whom He has mentioned a few times in His Book [i.e., the Qurʾān] such as at the beginning of the *Wāqiᶜa* chapter (*s*. 56) and again at the end of it, in the chapter of *al-Insān* (*s*. 76), the chapter of *al-Muṭaffifīn* (*s*. 83) and in the chapter of *Fāṭir* (*s*. 35). Indeed, He has mentioned the greater Resurrection at the beginning of the *Wāqiᶜa* chapter, and the lesser Resurrection[27] at the end. In the beginning of the chapter He states:
>
> *When the Great Event occurs, none will deny its occurrence; bringing low raising high. When the earth is convulsed and the mountains are crushed and become scattered dust in the air. And you will be classed into three: the Companions of the Right: what of the Companions of the Right? The*

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[23] *s*. 19 v. 45.
[24] *Bukhārī*, *Adab*, ch. 14 (ḥadīth 5990); *Muslim*, *Iman*, ch. 93 (ḥadīth 366).
[25] *s*. 66 v. 4.
[26] Ibn Taymiyya, *Majmūᶜ fatāwā Shaykh al-Islām Aḥmad b. Taymiyya*, ᶜAbd al-Raḥmān b. Muḥammad b. Qāsim (ed.), 27 vols. (Medina, Dār al-Taqwā, n.d.), vol. 11, p.176 (hereinafter *Majmūᶜ fatāwā*).
[27] The lesser Ressurrection refers to the death of each person.

Companions of the Left: what of the Companions of the Left? And the Forerunners, the Forerunners. Those are the Ones Brought Near in Gardens of Delight. A large group of the earlier people, but few of the later ones.[28] This will be the categories of humanity at the Greater Resurrection where Almighty Allāh will assemble the previous and the later generations as He has vividly recounted a few times in the Qurʾān. Moreover, He has stated in the latter part of the chapter:

[242] *Why then,* [meaning]: *Why do you not intervene when death reaches his throat and you are at that moment looking on-and We are nearer him than you but you cannot see-why then, if you are not subject to Our Command, do you not send it back if you are telling the truth? But the truth is that if he is one of Those Brought Near, there is solace and sweetness and a Garden of Delight. And if he is one of the Companions of the Right, 'Peace be upon you'! from the Companions of the Right. And if he is one of the misguided deniers, there is hospitality of scalding water and roasting in the Blazing Fire. This is indeed the truth of Certainty. So glorify the Name of your Lord, the Magnificent.*[29]

He states in the chapter of *al-Insān*:

We guided him on the way, whether he is thankful or unthankful. We have made ready for the kāfirūn (disbelievers) shackles and chains and a Searing Blaze. The truly good will drink from a cup mixed with the coolness of camphor, a spring from which Allāh's slaves will drink, making it gush forth at will abundantly. They fulfill their vows and fear a Day whose evil will spread far and wide. They give food, despite their love for it, to the poor and orphans and captives: 'We feed you only out of need

[28] *s*. 56, v. 1-14
[29] *s*. 56 v. 83-96.

for the Face [i.e., reward and pleasure][30] *of Allāh. We do not want any repayment from you or any thanks'.*[31]

Similarly, He states in the chapter of *al-Muṭaffifīn*:

No indeed! The book of the dissolute is in Sijjīn. And what will carry to you what Sijjīn is? A clearly written book. Woe that Day to the deniers: those who deny the Day of Reckoning. No one denies it except for every evil aggressor. When our Signs are recited to him, he says, 'Just myths and legends of the previous peoples'! No indeed! What they have earned has rusted up their hearts. No indeed! Rather that Day they will be veiled from their Lord. Then they will roast in the Blazing Fire. Then they will be told, 'This is what you denied.' No indeed! The book of the truly good is in the ᶜIlliyyūn. And what will suggest to you what the ᶜIlliyyūn is? A clearly written book. Those brought near will witness it. The truly good will be in perfect Bliss on couches gazing in wonder. You will recognize in their faces the radiance of delight. They are given the choicest sealed wine to drink, whose seal is musk-let people with aspiration aspire to that!-mixed with Tasnīm: a fountain at which Those Brought Near will drink.[32]

[243] Ibn ᶜAbbās (*ra*) (d. 68/687) and some of the pious predecessors have asserted, 'The companions of the Right-Hand (*aṣḥāb al-yamīn*) will receive a mixed drink and the near ones (*al-muqarrabūn*) will drink directly from it [i.e., the fountain of Tasnīm].' They are correct, since Almighty Allāh states the near ones drink "by it" (*yashrab bi-hā*), not that

[30]The quality of the Face of Allāh is established in other textual evidences. Here, however, the context of the verse determines that Allāh's being (*dhāt*) is not intended and the face thus refers to His reward and pleasure. Cf. Ismāᶜīl b. Kathīr, *Tafsīr al-Qurʾān al-ᶜaẓīm*, Maḥmūd b. Jamīl, Walīd b. Muḥammad b. Salāma and Khālid b. Muḥammad b. ᶜUthmān (eds.), 4 vols. (Cairo: Maktaba al-Ṣafā, 2002), vol. 4, p. 184.

[31]*s*. 76 v. 3-9.

[32]*s*. 83 v. 7-28.

they drink "from it"[33] (*yashrab min-hā*), which is included in His statement "they drink", as it contains the meaning "to quench one's thirst". Because, the drinker could quench his thirst or not do so. The statement, "they drink from it" does not mean they will be quenched. However, when He says, "they drink by it" this means they will quench themselves by the fountain of Tasnīm without needing anything else. The near ones will thus drink directly from the fountain unlike the companions of the Right-Hand (*aṣḥāb yamīn*) who will receive a mixed drink as stated in the chapter of *al-Insān*, "*The truly good will drink from a cup mixed with the coolness of camphor, a spring from which Allāh's slaves will drink, making it gush forth at will abundantly*".[34] His worshippers are, therefore, the near ones (*al-muqarrabūn*) mentioned in this chapter [i.e., *al-Muṭaffifīn*], because in the Hereafter reward will depend on deeds performed in this world whether good or bad according the Prophetic statement:

He who removes a worldly difficulty from a believer, Almighty Allāh will remove **[244]** one of his difficulties in the Hereafter; He who helps someone in dire financial straits, He will ease his financial affairs in this world and the Hereafter; He who covered a Muslim's faults, He will cover his faults in this world and the next. Almighty Allāh helps his worshipper as long as he helps his brother. He who follows a path seeking knowledge therein, He will ease his path to paradise. Whenever people gather in one of His mosques, to read the Qurʾān, and teach it among themselves; tranquility descends on them, mercy covers them, the angels surround them and He mentions them to those closest to Him. He whose good deeds delayed him, his lineage will not benefit him.[35] Imam Muslim[36] (d. 261/874) documented this ḥadīth in his *Ṣaḥīḥ*.

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[33]Ibid., v. 28.
[34]*s*. 76 v. 5-6.
[35]*Muslim*, *Dhikr*, ch. 11 (ḥadīth 38); *Tirmidhī*, *Ḥudūd*, ch. 3 (ḥadīth 1426), *Birr waʾl-ṣila*, ch. 19 (ḥadīth 1930), *Qirāʾāt*, ch. 12 (ḥadīth 2945); *Abū Dāwūd*, *Adab*, ch. 68 (ḥadīth 4946); *Ibn Māja* (*Muqaddima*), ch. 17 (ḥadīth 225).

The Prophet (*ṣ*) further said, 'The Most Merciful will show mercy to those who show mercy to others. Be merciful to those on earth, and He who is in the heavens will show mercy to you'. Al-Tirmidhī[37] (d. 379/989) declared the ḥadīth reliable (*ḥadīth ṣaḥīḥ*).[38] The reliable ḥadīth states: 'Almighty Allāh says, 'I created the womb (*al-raḥim*) and derived **[245]** one of My Beautiful Names from it, therefore, he who connects family ties, I will connect him [to Me]; he who severs it, I will sever him [from Me]'.[39] The Prophet (*ṣ*) further stated, 'He who connects a prayer row (*ṣaff*), Almighty Allāh will connect him to Himself; he who breaks it, He will distance Himself from him'.[40] There are many similar traditions similar to this.[41]

1.4 The categories of the believers or the *awliyāʾ*

[Ibn Taymiyya continues]:

Almighty Allāh has mentioned the moderate *awliyāʾ* and the leading ones in the chapter of *Fāṭir*:

Then We made Our chosen slaves inherit the Book. But some of them wrong themselves; some are moderate; and some outdo each other in good by All§h's permission. That is a great favor. They will enter gardens of Eden where they will be adorned with gold bracelets and pearls, and where their clothing will be of silk. They will say, 'Praise be to Allāh who has removed all sadness from us. Truly our Lord is Ever-Forgiving, Ever Thankful: He who has lodged us, out of His Favor, in the Abode of Permanence where no weariness or fatigue affects us.[42]

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[36]Muslim b. al-Ḥajjāj al-Qushayrī was the student of al-Bukhārī and the author of the famous ḥadīth collection by his name.
[37]According to some scholars, al-Tirmidhī authored the most important of the four Sunan ḥadīth works, that is, *Jāmiᶜ al-Tirmidhī*, which is also sometimes referred to as *Sunan al-Tirmidhī*.
[38]*Tirmidhī*, *Birr waʾl ṣila*, ch. 16 (ḥadīth 1989); *Abū Dāwūd*, *Adab*, ch. 66 (ḥadīth 4941).
[39]*Tirmidhī*, *Birr waʾl ṣila*, ch. 9 (ḥadīth 1972); *Abū Dāwūd*, *Zakāt*, ch. 45 (ḥadīth 1694).
[40]*Abū Dāwūd*, *Ṣalāt*, ch. 93 (ḥadīth 666).
[41]Ibn Taymiyya, *Majmūᶜ fatāwā*, vol. 11, pp. 176-9.
[42]*s*. 35 v. 32-35.

The three categories classified in the preceding verse concern the *umma* of Muḥammad (*ṣ*), "*Then We made Our chosen slaves inherit the Book*". They have in fact inherited the Qurʾān from the earlier nations, but the verse does not specify the memorizers of the Qurʾān alone. Rather, anyone who believes in the Qurʾān is regarded as one of its heirs. He has thus divided the believers into three categories: he who wrongs his own self (*ẓālim li-nafsih*), he who follows a middle course (*muqtaṣid*), and he who hastens to do good deeds (*sābiq biʾl-khayrāt*). This verse is unlike the other verses mentioned in the chapters of *al-Wāqiᶜa, al-Muṭaffifīn*, *al-Infiṭār* and *al-Insān*, which include all the previous nations, the believers as well as the unbelievers.

[246] This classification concerns the *umma* of Muḥammad (*ṣ*). The one who wrongs his own self (*ẓālim li-nafsih*) commits sin and persists in them. The one who follows a middle course (*muqtaṣid*) performs the compulsory acts and avoids sin, whereas the one who hastens to do good deeds (*sābiq biʾl-khayrāt*) performs compulsory as well as voluntary acts, and abstains from sin and disliked matters (*makrūhāt)* according the verses.[43]

Furthermore, Almighty Allāh has mentioned the comparison between the believing *awliyāʾ* saying: "*Look how We favor some of them over others. But the ākhira* [i.e., the Hereafter] *has higher ranks and favors*".[44] Rather, He has clarified the comparison between His Messengers and states:

Those Messengers: We favored some of them over others. Allāh spoke directly to some of them and raised up some of them in rank. We gave

[43]Ibn Taymiyya, *Majmūᶜ fatāwā*, pp. 182-4.
[44]*s*. 17 v. 21.

clear signs to ᶜĪsā (*Jesus*) *son of Maryam* (*Mary*)*, and reinforced him with the Purest Rūḥ* [Spirit i.e., Gabriel].[45]
We favored some of the Prophets over others. And We gave Dāwūd (*David*) *the Zabūr* [i.e., psalms].[46]

Muslim has documented on the authority of Abū Hurayra (*ra*) that the Prophet (*ṣ*) said:

Almighty Allāh favors the strong believer over the weak one, but both are virtuous. Be keen on matters beneficial to you, seek His help, and do not despair. If any calamity strikes you, do not say, 'If only I did this, the result would have been different. Instead say, 'Allāh has decreed such and whatever He decrees He fulfills', because saying 'if' inspires the schemes of the devil (*shayṭān*).[47]

[247] Abū Dāwūd has documented another ḥadīth on the authority of ᶜAwf b. Mālik who related to the Companions (*ra*) the Prophet (*ṣ*) judged between two litigants; the unsuccessful litigant said while leaving, 'Allāh is enough for me and the Best Disposer of affairs'. The Prophet (*ṣ*) replied, 'Almighty All§h censures inability, use your intellect and only if a matter overpowers you say, 'Allāh is enough for me, and the Best Disposer of affairs''.[48]

The following ḥadīth on the authority of Abū Hurayra and ᶜAmr b. al-ᶜĀṣ is documented in the *Ṣaḥīḥayn* as well as other ḥadīth works that the Prophet (*ṣ*) said, 'If the judge gives judgment by *ijtihād* and is correct, he receives two rewards; if he gives judgment by *ijtihād* and commits an

[45] *s*. 2 v. 253.
[46] *s*. 17 v. 55.
[47] *Muslim*, *Qadr*, ch. 8 (ḥadīth 34); *Ibn Māja*, (*Muqaddima*), ch. 10 (ḥadīth 79).
[48] *Abū Dāwūd*, *Aqḍiya*, ch. 28 (ḥadīth 3628).

error, he receives one reward'.[49] The ḥadīth has variant narrations outside the *Ṣaḥīḥayn* with the wording "the judge who is correct receives ten rewards".

Almighty Allāh states [regarding the Companions (*ra*)]:

Those of you who gave and fought before the Victory [i.e., the conquering of Mecca] *are not the same as those who gave and fought afterwards. They are higher in rank. But to each of them Allāh has promised the Best.*[50]

Those muʾminūn who stay behind-other than those forced to by necessity-are not the same as those who engage in jihād in the way of Allāh, sacrificing their wealth and themselves. Allāh has given those who engage in jihād with their wealth and themselves a higher rank than **[248]** *those who stay behind. Allāh has promised the best to both, but Allāh has preferred those who engage in jihād over those who stay behind by an immense reward: high ranks conferred by Him as well as forgiveness and mercy. Allāh is Ever-Forgiving, Most Merciful.*[51]

Do you make the giving of water to the pilgrims and looking after the Masjid al-Ḥarām [i.e., the Sacred Mosque] *the same as having iman in Allāh and the Last Day and engaging in jihād in the way of Allāh? They are not equal in the sight of Allāh. Allāh does not guide wrongdoing people. Those who have iman and make hijra (migrate) and engage in jihād in the way of Allāh with their wealth and themselves have a higher rank with Allāh. They are the ones who are victorious. Their Lord gives them the good news of His Mercy and good pleasure and Gardens where*

[49]*Bukhārī, Iʿtiṣām*, ch. 21 (ḥadīth 7352); *Muslim*, *Aqḍiya*, ch. 6 (ḥadīth 15); *Tirmidhī*, *Aḥkām*, ch. 2 (ḥadīth 1326); *Ibn Māja*, *Aḥkām*, ch. 3 (ḥadīth 2314); *Abū Dāwūd*, *Aqḍiya*, ch. 2 (ḥadīth 3574).
[50]*s*. 57 v. 10.
[51]*s*. 4 v. 95-9.

they will enjoy everlasting delight, remaining in them timelessly, forever and ever. Truly there is an immense reward with Allāh.[52]

What of him who spends the night hours in prayer, prostrating and standing up, mindful of the ākhira, hoping for the Mercy of his Lord? Say: 'Are they the same-those who know and those who do not know'? It is only people of intelligence who pay heed.[53]

Allāh will raise in rank those of you who have iman and those of you who have been given knowledge. Allāh is aware of what you do.[54]

1.5 The Prophets (*as*) alone are infallible (*maᶜṣūm*)

Know the non-prophets among the *awliyāᵓ* are not infallible (*maᶜṣūm*), but are as fallible as the rest of the believing worshippers. Because they have reached a high and sublime status, they seldom infringe the correct view or contradict the truth. However, should they err then it does not eliminate them as *awliyāᵓ*. Similarly, the erring *mujtahid* can still gain reward for his mistake[55] according the ḥadīth, "If the judge gives judgment by *ijtihād* and is correct, he receives two rewards; if he gives judgment by *ijtihād* and commits an error, he receives one reward".

[249] Almighty Allāh has forgiven this *umma* all its mistakes and forgetfulness stating: "*Our lord, do not take us to task if we forget or make a mistake*"![55] The reliable ḥadīth further confirms He has said after each of the invocations [in the verse], "I have done so" [56] as well as, "My *umma* are exempted from sin regarding error and forgetfulness" [57]

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[52] *s*. 9 v. 19-22.
[53] *s*. 39 v. 9.
[54] Ibn Taymiyya, *Majmūᶜ fatāwā*, pp. 188-90. *s*. 58 v. 11.
[55] The *mujtahid* is in fact rewarded for having followed the process of *ijtihād* and exerting himself in doing so and not for his mistake according to Shawkānī. On page 187 Shawkānī clarifies this point himself.
[55] *s*. 2 v. 286.
[56] *Muslim*, *Iman*, ch. 57 (ḥadīth 200); *Tirmidhī*, *Tafsīr*, ch. *surah al-Baqara* (ḥadīth 2992).
[57] *Ibn Māja*, *Ṭalāq*, ch. 14 (ḥadīth 2040), ch. 16 (ḥadīth 2043-45) in which it appears with a slightly different wording. Ibn Ḥajar states the ḥadīth has been mentioned with the wording: "My *umma* has been exempted from sin regarding error and forgetfulness" in the books of the jurists and legal theorists whereas the scholars of ḥadīth have not reported it with this wording. Cf. al-ᶜAsqalānī, *Talkhīṣ al-ḥabīr fī takhrīj aḥādīth al-Rāfiᶜī al-Kabīr*, ᶜĀdil Aḥmad ᶜAbd al-Mawjūd and ᶜAlī Muḥammad Muᶜawwiḍ (eds.), 4 vols. (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1998), vol. 1, p. 674 (ḥadīth 450).

which has produced multiple chains that reached the status of *ḥasan li-ghayrih*[58] according to the experts of this science [i.e., ḥadīth scholars].

1.6 The measure for accepting extraordinary occurrences (*al-wāqiᶜāt*) and Divine disclosure (*al-mukāshafāt*)

The *walī* should not reckon all seeming extraordinary occurrences (*al-wāqiᶜāt*) and Divine disclosures (*al-mukāshafāt*) *karāmāt* from Almighty Allāh as they could be from the devil's confusion and plot. In fact, he should refer all his sayings and actions back to the noble Qurʾān and Sunna; if they conform to these two sources, they are real (*ḥaqq*), the truth (*ṣidq*) and a *karāma* from Him. If they oppose them in any way, he should know the devil has employed trickery to beguile and deceive him.

1.7 The possibility of *mukāshafāt*

The sceptic should not deny the *awliyāʾs* truthful *mukāshafāt* which conform to reality. Proof for this is that the Messenger (*ṣ*) broached this topic himself according to al-Bukhārī and Muslim: "The previous nations all had divinely inspired men (*muḥaddathūn*). If my nation should have any, then ᶜUmar [*ra*] is one of them".[59] A variant of this ḥadīth states: "This nation has divinely inspired men; ᶜUmar [*ra*] is one of them". Another reliable tradition states: "Beware of the believer's intuitive knowledge (*firāsa al-muʾmin*), because he sees with the light (*nūr*) of Allāh".[60] Al-Tirmidhī documented the ḥadīth and declared it "agreeable" (*ḥasan*).[61] The divinely inspired person (*al-muḥaddath*) [is he who] has truthful supposition and correct insight.

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[58] A *ḥasan li-ghayrih* ḥadīth is originally a weak ḥad©th caused by an interruption in the chain of narrators or because of the weak memory of a particular narrator and is further supported by one or more similar weak narrations originating from a different chain or chains.

[59] *Bukhārī*, *Manāqib*, ch. 6 (ḥadīth 3689); *Muslim*, *Faḍāʾil al-ṣahāba*, ch. 2 (ḥadīth 23); *Tirmidhī*, *Manāqib*, ch. 18 (ḥadīth 3693).

[60] *Tirmidhī*, *Tafsīr*, ch. *surah al-Ḥijr* (ḥadīth 3127).

[61] The *ḥasan* ḥadīth is divided into two categories: the *ḥasan* ḥadīth which is agreeable in itself (*ḥasan li-dhātih*) and that which is agreeable owing to other supporting chains (*ḥasan li-ghayrih*). Al-Tirmidhī's classification of the ḥadīth is thus that of *ḥasan li-ghayrih* because of the weakness of ᶜAṭiyya b. Saᶜd in the transmission chain.

[250] 1.8 The *walī's* duty regarding extraordinary occurrences

Despite the authoritative Prophetic tradition declaring ᶜUmar of the divinely inspired, he used to consult the Companions (*ra*) and they consulted him. He would argue against them based on the Qurʾān and Sunna where after they would all yield to these two sources and refer their disagreement to the measure authorized by Almighty Allāh, namely, referral to Him and the Messenger (*ṣ*). Referral to Him means referral to His Qurʾān; referral to His Messenger (*ṣ*), after his death, means referral to the reliable Sunna.

Notwithstanding the *walī's* sublime status he should adhere to the Qurʾān and Sunna, compare his speech and actions to the measure of this pure *sharīᶜa*, stop at its prescribed boundary, and should never deviate from it in any of his religious matters. The reliable ḥadīth confirm the Prophet (*ṣ*) as saying: "Every matter which is not of our command is rejected".[62] If he should encounter something contrary to the *sharīᶜa*, he should reject such, ascribe **[251]** it to the schemes of *Shayṭān*, and oppose it according to his means and ability. Almighty Allāh says:

> *So have taqwā of Allāh, as much as you are able to*.[63]
> *You who have iman! have taqwā of Allāh with the taqwā due to Him*.[64]
> *Allāh does not impose on any self any more than it can stand. For it, is what it has earned; against it, what it has merited.*[65]
> *As for those who have iman and do right actions-We impose on no self any more than it can bear-they are the Companions of the Garden, remaining in it timelessly, forever.*[66]
> *That you give full measure and full weight with justice-We impose on no self any more than it can bear*.[67]

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[62]*Bukhārī*, *Ṣulḥ*, ch. 5 (ḥadīth 2697); *Muslim*, *Aqdiya*, ch. 8 (ḥadīth 17); *Abū Dāwūd*, *Sunna*, ch. 6 (ḥadīth 4606); *Ibn Māja*, (*Muqaddima*), ch. 2 (ḥadīth 14).
[63]*s*. 64 v. 16.
[64]*s*. 3 v. 102.
[65]*s*. 2 v. 286.
[66]*s*. 7 v. 42.
[67]*s*. 6 v. 152.

Whoever was presumed a *walī* but has violated the principle of referral, is not reckoned amongst the *awliyāʾ*. How admirable is the statement of Abū Sulaymān al-Dārānī [*r*]: "One of the anecdotes of the people would enter my heart, and I would not accept it without two just witnesses: the Qurʾān and the Sunna".[68] **[252]** Al-Junayd[69] [*r*] said: "Our knowledge is confined to the Qurʾān and the Sunna, therefore, he who does not read the Qurʾān and records the ḥadīth, it is improper for him to express himself about our knowledge".[70] Abū ʿUthmān al-Nīsābūrī [*r*] said:

> He who assigned the *sharīʿa* over his speech and actions spoke with wisdom and he who appointed his lowly desires (*hawā*) over them spoke with innovation (*bidʿa*), because Almighty Allāh says: '*If you obey Him, you will be guided*'.[71]

And Abū ʿAmr b. Junayd [*r*] said: "Every ecstasy of love (*wajd*) unsanctioned by the Qurʾān and Sunna is futile".[72]

1.9 The extraordinary happenings of the charlatan *awliyāʾ*

If you know the *walī* is obliged to follow the Qurʾān and Sunna regarding his speech and actions, as they constitute the measure for distinguishing truth from falsehood, then whoever caused **[253]** something which contradicted them will have it rejected. No one should believe he is Allāh's *walī*, because these occurences, we notice, are satanic acts caused by those who have subordinates (*al-atbāʿ*) among the demons. Because, sometimes he could effect the extraordinary and whoever does not recollect this measure [of the Qurʾān and Sunna] perceives it a *karāma*, but in reality, it is a satanic occurrence (*makhārīq shayṭāniyya*) and devilish deception (*talbīsāt iblīsiyya*). That is why you will notice them emerging from the innovators (*ahl al-bidaʿ*). Rather, they egress from the

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[68]Ibn Taymiyya, *Majmūʿ fatāwā*, p. 210.
[69]Ibid.
[70]Ibid.
[71]Ibid. *s*. 24 v. 54.
[72]Ibid.

disbelievers (*ahl al-kufr*) and those tarnished with sin who abandon the obligatory duties, since the devil strongly inclines toward them, because of their shared objective to oppose the obligatory duties Almighty Allāh has ordained for the worshippers.

A presumed *karāma* can also be forthcoming from the people who subject their bodies to extreme exercise (*ahl al-riyāḍa*) or he who reduces his intake of food and drink according to a known formula, until he reaches the stage where he eats only on certain days. After a few days, he consumes something light which causes him to experience some clarity from human turmoil (*al-kadūrāt al-bashariyya*) and he, therefore, perceives what others cannot. These are by no means *karāmāt* at all. Had they been Divine *karāmāt* and Merciful Grace, they would not be forthcoming from Almighty Allāh's enemies such as the presumed extraordinary happenings accomplished by the disbelieving al-Murtāḍīn of India who are presently called the Jawkiyya.

Someone mentally insane could even cause a presumed *karāma*. The reason for that, according to the wise men (*al-ḥukamā'*), is because his mind has lost the ability of description and planning (*al-tafṣīl wa'l-tadbīr*), which the intelligent people have. He can therefore sense what intelligent people cannot. He sometimes discloses truthful *mukāshafāt* although he is soiled in impurities, sits confused in the dirt, and sits in refuse dumps and similar places. Someone who does not know his reality might consider him a *walī* [254]. That is a mistaken assumption and imagination as he is mentally insane and is free him from the religious duties (*al-taklīf*) of the Muslim *mukallaf*[73] worshipper. He is thus neither a friend nor an enemy of Almighty Allāh.

1.10 The genuine *mukāshafāt* of the believers

Furthermore, a truthful *mukāshafa*, as mentioned earlier, can happen to someone whom Almighty Allāh has specified as one of the divinely inspired people (*al-muḥaddathīn*). The *sharī'a* and textual evidence confirm this type of *mukāshafāt*. Such disclosures usually happen to the most sincere believers according the ḥadīth: "Beware of the

[73]That is a religiously matured and sane person is compelled to fulfill the obligatory duties.

believer's intuitive knowledge…".[74] The intuitive knowledge [mentioned in the ḥadīth] is something which He puts in the soul (*al-rawʿ*) of the one destined to receive a *mukāshafa*. [The recipient in turn] shares it with others, and when the event finally occurs, it conforms to reality such as the truthful *mukāshafāt* experienced by ʿUmar b. al-Kaṭṭāb (*ra*). This is not fortune-telling (*al-kahāna*), astrology (*al-najāma*), divination by drawing figures or lines in the sand (*al-raml*) or the inspiration of the devil (*talqīn al-shayṭān*) at all.

The ḥadīth commentary we are busy discussing will later provide details of the worshipper who continuously draws nearer with his voluntary acts to Almighty Allāh until He loves him and when He loves him; He becomes his hearing, his sight, His hand with which he strikes, and His leg with which he walks. We will discuss these Prophetic phrases later, God willing. There are a considerable number of illustrative expressions in the Qur'ān such as His statement:

> *Whoever obeys Allāh and the Messenger will be with those whom Allāh has blessed: the Prophets and ṣiddīqūn (truthful), the shuhadā' (martyrs) and the ṣālihūn (pious). What excellent company such people are!*[75]

The Companions (*ra*) have shown considerable obedience to Almighty Allāh through [255] seeking His nearness with the acts He loves. Because of this, they became the best generation according the reliable ḥadīth narrated via multiple chains. The ḥadīth works, via numerous chains, have further documented the Prophetic (*ṣ*) statement: "Do not insult my Companions, for by the One in whose Hand my soul is; for, if one of you should spend the likeness of Mount Uḥud in gold as charity, it would not equal their *mudd*[76] nor half of it".[77] Observe their sublime merit to the extent that someone spending the likes of a huge mountain as charity will not even reach half their measure. Almighty Allāh is,

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[74] *Tirmidhī*, *Tafsīr*, ch. *sūrah al-Ḥijr*, (ḥadīth 3127).
[75] *s.* 4. v. 69.
[76] A *mudd* is equivalent to two thirds of a kilogram.
[77] *Bukhārī*, *Faḍā'il al-ṣaḥāba*, ch. 5 (ḥadīth 3673); *Muslim*, *Faḍā'il al-ṣaḥāba*, ch. 54 (ḥadīth 221); *Tirmidhī*, *Manāqib*, ch. 58 (ḥadīth 3861).

therefore, pleased with them and caused them to be pleased with Him. They are the best and most honored *awliyā'*, enjoy the highest position with Him, and are those who act in conformity with the Qur'ān and Sunna. Their successors who are reckoned *awliyā'* cannot be so unless they follow the Prophet (*ṣ*), his guidance, and his sayings and actions.

1.11 The *walī's* personality

Take heed the greatest signs distinguishing the *walī* from others is that Almighty Allāh readily answers all his prayers (*mujāb al-da^{c}wa*), he is satisfied with Him under all circumstances, upholds His compulsory duties, abstains from His prohibitions, and resists the worldly superiority and leadership people vie for. He is disinterested in worldly pleasure, to increase in it, to learn the means of acquiring wealth or even owning excessive wealth and merchandise. When he receives little provisions, he is patient; when he receives plentiful provisions, he is thankful. Praise and criticism, wealth and poverty, and fame and obscurity are all equal to him. Furthermore, he is not egotistical **[256]** regarding the characteristics of *wilāya* Almighty Allāh has granted him. When He increases him in stature, he increases in humility and subservience. He displays unblemished manners, great wisdom, patience, and offers honorable company.

In total, he mostly occupies himself with the recommended devotional acts. Therefore, whoever has perfected all these qualities and was distinguished by these characteristics has become the great *walī* of Almighty Allāh. Furthermore, it becomes the duty of every believer to acknowledge this, to gain blessings by looking at him, and to seek his close presence. Whoever has embodied only some of these distinguished qualities will have a share of *wilāya* and of its merits equal to what Almighty Allāh has granted him. Correct faith is the greatest door leading to the portal of *wilāya* according the Prophet's (*ṣ*) reply when someone questioned him concerning faith: "To believe in Allāh, His Angels, Books, Messengers, and Divine destiny, the good and bad of it".[78]

[78] *Bukhārī*, *Iman*, ch. 37 (ḥadīth 50); *Muslim*, *Iman*, ch. 1 (hadīth 1); *Tirmidhī*, *Iman*, ch. 4 (ḥadīth 2610); *Ibn Māja*, (*Muqaddima*), ch. 9 (ḥadīth 63).

Belief in Divine destiny is the most difficult article of faith. When the Muslim believes in it correctly, all his affairs become easy and he detaches himself from matters of good and bad fate which happen to him. The Prophet (*ṣ*) having sought refuge from bad fate does not contradict belief in it. Many reliable ḥadīth confirm the Prophetic prayers included: **[257]** "O Allāh, I seek refuge from bad destiny, the worst misery, overburdening affliction, and gloating over my enemy's misfortune".[79] He used to say in the standing position before prostrating in the uneven prayers (*fī-qunūt al-witr*)[80]: "Save me from bad fate".[81] The *awliyā'* vary in their *wilāya* according to the strength of faith He has granted them; the one stronger in faith is greater in significance, rank, nearness and honor to Him.

Whoever adhered to firm faith, displayed unblemished conduct and found endearment in Almighty Allāh, because of love for Him and the Messenger (*ṣ*), He says: "*Say, 'If you love Allāh, then follow me* [with the result that] *Allāh will* [then really come to] *love you*".[82] Each time he seeks the Divine Presence by performing the compulsory deeds and abstaining from the prohibitions by doing the voluntary acts and remembering Him, He increases him in love for Him, and opens the small and big doors of all good to him. Details will follow shortly in the commentary of the ḥadīth we are discussing with clarification of its noble meanings and subtle notions.

1.12 The possibility of *karāmāt*

It is not impossible for the possessor of these magnificent gifts and beautiful qualities to perform *karāmāt* conforming to the *sharī'a* as well as wielding influence over Almighty Allāh's vast creation. Because, when he calls Him, He answers; when he asks Him, He gives. Mistaken is the one who regards, as satanic deeds, the acts effected by many of the *awliyā'* such as **[258]** covering long distances quickly, truthful *mukāshafāt*, and acts which are beyond the ability of normal human strength. This is a wrong assumption, as it is quite possible for the *walī*, whose prayers are readily answered, asking Him to reach

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[79] *Bukhārī*, *Da'awāt*, ch. 28 (ḥadīth 6347), *Qadr*, ch. 13 (ḥadīth 6616); *Muslim*, *Dhikr*, ch. 16 (ḥadīth 53).
[80] This is an odd number of prayer units (*raka'āt*) which is performed to complete the last prayer in the late evening ('*Ishā'*) of the Muslims' five daily prayers.
[81] *Abū Dāwūd*, *Ṣalāt*, ch. 340 (ḥadīth 1425); *Tirmidhī*, *Ṣalāt (witr)*, ch. 341 (ḥadīth 464); *Ibn Māja*, *Ṣalāt* (*witr*), ch. 117 (ḥadīth 1178).
[82] *s.* 3 v. 31.

the most distant places quickly, which normally takes months to travel. He is the Capable (*al-Qādir*) and Strong (*al-Qawī*); whatever He wants, happens and whatever He does not want does not happen. How unlikely is it for Him to answer the prayer of the *walī* who calls Him such as in this or other cases?

In this case, one can cite the poet: "A thousand people sometimes equal one//and one person sometimes equal a thousand if we ponder carefully".[83] Another [poetry] verse states: "I have not seen such disparity as that among men of glory//when even a thousand people may be counted as [equal value] to one person".[84] To the contrary, whomever Almighty Allāh has favored, neither a thousand nor thousands [of men] unable to equal his achievements or gain some of these qualities, can match him. [The poet states]: "Why do you wander around in Najd//when Tihāma is overcrowded with men".[85] Whoever browsed the *Ḥilya* of Abū Nuᶜaym (d. 430/1038) **[259]** and *Ṣafwa al-Ṣafwa* of Ibn al-Jawzī (d. 597/1200) will know the veracity of our claims. And the Giving of your Lord is not restricted.[86] How many countless *karāmāt* happened to the Companions (*ra*), some of which we will refer to shortly?

Their *karāmāt* had been nothing more than many of their prayers being answered, and as we have mentioned earlier, an answered prayer is the greatest honor bestowed on the worshipper. He who was honored in this way asks whatever and in whichever way he wants; of the great and contemptible matters, the major and minor. The ḥadīth and history books contain a considerable amount of such fine examples. Similarly, there were many pious *awliyā'* in the previous prophets' nations based on the reliable authority of the Prophet (*ṣ*), and according the Tawrā [of Mūsā] and Injīl [of ᶜĪsā], as well as the revelation of Banī Isrā'īl's prophets, which includes the Zabūr. In short, He favors the worshippers with whatever He wants; all Favor is in His Hands.[87] He gives and denies whomever He wants.

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[83]Unknown source.
[84]Unknown source. Cited in Miskawayh, *Tahdhīb al-akhlāq*, C. Zurayk (ed.), (Beirut: 1968), p. 39.
[85]Unknown source.
[86]*s.* 17 v. 20.
[87]In referring to the hand of Allāh, Shawkānī prefers the way of the Salaf, that is, to confirm the hand of Almighty Allāh that befits His Majesty, without making any human comparison, believing in it and not

[260] We can only reject those acts the pure *sharī'a* rejects. Thus, we prevent and ward off whoever tries to contradict it. As for someone doubting that Almighty Allāh can grant a great matter [i.e., *karāma*] to the worshipper and allow him, through His magnificent and abundant favors, to accomplish what others are incapable of then this is not the objective of the fair persons.

Often when you recount to a coward the heroic acts of the fearless warriors who are outnumbered and experiencing terror fighting against formidable enemies, he doubts and rejects it. The only reason for this denial is his instinctive, innate cowardice, which cannot rival the least of that or even something less significant. Similarly, when the miser hears about the open-handedness of the generous persons with their available means and great kindness the greedy persons; deprived of a tenth of instinctive, praiseworthy generosity, desire, he considers it the storyteller's lies and the swindler's deception. Furthermore, the ignoramus refuses to recognize the religious knowledge granted to the great scholars of this *umma* who expand in the diverse sciences; understanding them properly, memorizing them accurately, and competently referencing them to their references and sources.

Know Allāh's gifts to the worshippers' are not subject to the uncertainty of the [261] skeptics and doubters, because some of them have received prophethood alone while others were chosen to deliver the Message, and were appointed mediators between Almighty Allāh and His worshippers. Others were granted a kingdom, placed in authority over all his subjects, and were chosen from among the vast majority of people. They could sometimes be devoid of noble ancestry like the kingdom of Egypt (Miṣr), Syria (Shām) and the two great mosques [i.e., Mecca and Medina] and others given to the kings of the Circassian Mamlūks.[88] Their origin was slavery with one of them being sold on the slave market and later becoming a great king and honorable ruler.

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questioning its likeness. See *al-Tuḥaf fī al-irshād ilā madhāhib al-salaf* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, Muḥammad Ṣubḥī Ḥallāq (ed.), 12 vols. (Sanaa: Maktaba al-Jīl al-Jadīd, 2002), vol. 1, pp. 260-1.

[88]The Circassian Mamlūks were originally slaves who later ruled Egypt from 784-923/1382-1517.

Similarly is the case of the Turkish slaves such as the Qalāwūn tribe, which ruled before them.[89] The Buwayh tribe, the sons of Simāk Ghālib, was given the Islamic kingdoms and ruled the ᶜAbbāsid territories and beyond. Ignore the favors bestowed on humanity, honored with intelligence, and look at those granted to the different species of creation, [262] because few people have the lion's courage. That is a gift from Almighty Allāh. Similarly, many animal species have been favored: some of them with superior strength, others with large bodies, others with graceful assembly, and others with flying and yet others with swimming in the depths of the sea as well as doing whatever is necessary in the sea's waves.

How many bounties can be counted of the Most Generous King who has Great Power; all Glory belongs to Him? How great is He, how mighty is His Kingdom and how great is His Favor? This was a minor digression needed for illustrating how He favors His sincere worshippers to the rigid minds and static dispositions until they are swayed from their firm denial. And your Lord creates whatever He wants and chooses.[90] He who looks at the *karāmāt* He has granted the Companions (*ra*) will not deny those He has bestowed on the *awliyā'*. Citing most of them is difficult, moreso all of them. Some of them were mentioned earlier; here, follows some in greater detail.

Usayd b. Ḥuḍayr (*ra*) once read the chapter of the cave (*al-Kahf*) when [263] tranquility descended over him from the sky like a canopy containing resemblances of lights, which were the angels. He reported his encounter to the Prophet (*ṣ*) who replied: "If he continued reading the tranquility would have remained with him".[91] The angels greeted ᶜImrān b. Ḥuṣayn [*ra*] (d. 52/672) and Salmān, the Persian [*ra*] (d. 36 or 37/656 or 657), and Abū al-Dardā' [*ra*][92] ate from a dish, which glorified [Almighty Allāh] or its contents glorified

[89]They are the children of king Manṣūr Sayf al-Dīn Qalāwūn the sea-kings who ruled from 678-755/1279-1354.
[90]*s.* 28 v. 68.
[91]Ibn Taymiyya, *Majmūᶜ fatāwā*, vol. 11, p. 276.
[92]He died towards the end or after ᶜUthmān's (*ra*) reign, cf. al-ᶜAsqalānī, *Taqrīb al-Tahdhīb*, Muḥammad ᶜAwwāma (ed.) (Damascus: Dār al-Qalam, 1991), p. 434 (biography 5228) (hereinafter *Taqrīb*).

[Him].[93] **[264]** ᶜAbbād b. Bishr [*ra*][94] and Usayd b. Ḥuḍayr [*ra*] departed from the Prophet (*ṣ*) at night and one of their whips' ends became lit up. When they parted, the light followed both of them.[95] The Truthful one (*ra*)[96] and his guests ate from a bowl and each time they would have a mouthful of food, it would increase from the bottom of the bowl until they had their fill. The food finally became more than it had been before the meal.[97] When the disbelievers captured Khubayb b. ᶜAdī (*ra*), he mysteriously received grapes harvested out of season.[98]

The Companions (*ra*) searched for ᶜĀmir b. Fuhayra's [*ra*][99] body, **[265]** but were unable to reach it, because the bees protected it.[100] One day, Umm Ayman [*ra*][101] went out [migrating to Medina], while she was fasting, without carrying any food or water, and she became thirsty until she almost died. At the usual time of breaking fast, she heard a faint sound above her head and when she looked up she saw a vessel tied to a white rope suspended [from the sky]. She quenched her thirst and never became thirsty afterwards.[102] Once, Safīna [*ra*],[103] the Prophet's (*ṣ*) freed slave, told a lion that he was the Prophet's (*ṣ*) freed slave, which accompanied him to his destination.[104]

Whenever al-Barā' b. Mālik [*ra*][105] took an oath, Almighty Allāh would fulfil it.**[266]** Once, when the Muslims struggled in *jihād*, they said, "O al-Barā'! Swear by your Lord. He responded, 'I swear by my Lord, who will grant us victory and cause me to be the first

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[93] Ibid.
[94]ᶜAbbād b. Bishr died during the battle of al-Yamāma, cf. al-ᶜAsqalānī, *Taqrīb*, p. 289 (biography 3122).
[95]Ibid., Also see Ibn al-Jawzī, *Ṣafwa al-Ṣafwa*, Ibrāhim Ramaḍān and Saᶜīd al-Laḥḥām (eds.), 2 vols. (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1989), vol. 1, p. 260 (hereinafter *Ṣafwa*).
[96]Abū Bakr (*ra*) was nicknamed the Truthful (*al-Ṣiddīq*) because of his steadfast belief in the Prophet (*ṣ*) having received revelation.
[97]Ibn Taymiyya, *Majmūᶜ fatāwā*, vol. 11, p. 276; Ibn al-Jawzī, *Ṣafwa*, vol. 1, p. 144.
[98]Ibid. Also see *Ṣafwa*, vol. 1, p. 144. For the origin of this story see *Bukhārī*, *Maghāzī*, ch. 29 (ḥadīth 4086).
[99] He died during the battle of *bi'r* (well of) Maᶜūna, cf. *Bukhārī*, *Maghāzī*, ch. 29 (ḥadīth 4093).
[100]Ibid. Also see *Ṣafwa*, vol. 1, p. 226.
[101]Umm Ayman died during the reign of ᶜUthmān (*ra*), cf. al-ᶜAsqalānī, *Taqrīb*, p. 755 (biography 8703).
[102]Ibid., p. 277. Also see *Ṣafwa*, vol. 2, p. 38-9.
[103]No date of death is given for Safīna. For his biography see al-ᶜAsqalānī, *Taqrīb*, p. 244 (biography 2458).
[104]Ibid.; *Ṣafwa*, vol. 1, p. 341.
[105]al-Barā' b. Mālik died during the battle of Qādisiyya, cf. Ibn Taymiyya, *Majmūᶜ fatāwā*, vol. 11, p. 277.

martyr';[106] the Muslims were victorious and al-Barā' was martyred". Khālid b. al-Walīd[107] (*ra*) (d. 21 or 22/641 or 642) surrounded a fortress and its occupants contended: "We will not submit to you until you drink poison". So he drank the poison, yet it did not harm him.[108] ᶜUmar b. al-Khaṭṭāb (*ra*) once dispatched an army under the leadership of a man called Sāriya and [267] while he was delivering the Friday sermon on the pulpit (*minbar*) exlaimed: "O Sāriya the mountain! O Sāriya the mountain! Later, when the messenger of the army returned [to Medina], ᶜUmar asked him [about the battle] and he replied: "O leader of the believers, we fought the enemy, which almost defeated us then we heard someone calling 'O Sāriya the mountain! O Sāriya the mountain'! We then protected our backs with the mountain, and succeeded in defeating them".[109] When the idolaters tortured a female Companion [*ra*] she became blind and they attributed her blindness to Lāt and ᶜUzzā. She replied [to their mocking]: "I swear by Almighty Allāh, it is not so", and she immediately regained her sight.[110]

Saᶜd b. Abī Waqqāṣ (*ra*) (d. 51, 54 or 55/ 651, 673 or 674) always had his prayers answered and never asked for anything but had it answered.[111] Similarly, Saᶜīd b. Zayd (*ra*) (d. 50, 51 or 52/670, 671 or 672) prayed against a woman who had lied in her claim against him [about some of his land] [268] imploring: "O Allāh if she is lying then cause her to become blind, and let her die on her own property". Afterwards, she became blind and fell into a hole on her property.[112] In a separate incident, when no water was available, al-ᶜAlā b. al-Ḥaḍramī (d. 14,15 or 21/635,636 or 641) prayed for drinking water and water to perform the ritual ablution (*wuḍū'*), but that it should not remain after them. His prayer was answered.[113] On another occasion, He prayed when the sea impeded their progress; they later crossed it on horseback without wetting their saddles. On yet

[106]Ibid. Also see *Ṣafwa*, vol. 1, pp. 317-18.
[107]This incident occurred during the battle of Qādisiyya.
[108]Ibid.
[109]Ibid., p. 278.
[110]Ibid., Ibn Taymiyya gives her name as Zabīra.
[111]Ibid.
[112]Ibid. Her name given in the ḥadīth is Arwā the daughter of Uways. For the origin of this incident see *Muslim*, *Musāqāt*, ch. 30 (ḥadīth 1610).
[113]Ibid. Also see *Ṣafwa*, vol. 1, p. 352.

another accasion he prayed that his body should not be seen after his death. When he died, they could not find him in his grave.[114]

The Successors' [*r*] *karāmāt* are recorded in the books dealing with the subject, as we have earlier alluded to. One of the Successors, Abū Muslim **[269]** al-Khawlānī [*r*][115] was once thrown into the fire, but was found standing and praying. When he entered Medina, ᶜUmar [*ra*] placed him between himself and Abū Bakr [*ra*] and exclaimed: "All praise belongs to Almighty Allāh who has spared me to witness someone of Muḥammad's nation who bore the same fate as [prophet] Ibrāhīm [*as*]".[116] In another incident, he prayed against a woman who corrupted his wife. She became blind and repented, after which he prayed once more and she regained her sight.[117] Another Successor, ᶜĀmir b. ᶜAbd al-Qays [r],[118] put his foot on a lion's neck until the caravan passed.[119]

Yet another Successor, Ṣila b. Ashyam's [*r*], (d. 95/713) horse died during battle and he pleaded: "O Allāh do not cause me to be indebted to anyone of your creation". He prayed until He made his horse alive, and when he reached home, he said: "O my son! Return the horse's saddle, because I have loaned it". His son returned it, and the horse died.[120] During the time **[270]** of al-Ḥarra When Saᶜīd b. al-Mussayib (d. 93, 94 or 100/711, 712 or 718) [*r*], was alone in the Prophet's (*ṣ*) mosque, he heard the call to prayer (*adhān*) coming from his grave.[121] Once, ᶜUmar b. ᶜUtba b. Farqad [*r*][122] prayed in severe heat while a cloud shaded him.[123] Whenever Muṭarrif b. ᶜAbd Allāh al-Shakhīr [*r*] (d. 95/ 713) entered his home, his utensils would glorify Almighty Allāh collectively with him. On the day that Aḥnaf b. Qays [*r*] (d. 67 or 72/686 or 691) died a man's fez landed in his

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[114]Ibid.
[115]Abū Muslim died during the reign of Yazīd b. Muᶜāwiya, cf. al-ᶜAsqalānī, *Taqrīb*, p. 673 (biography 8367).
[116]Ibid., p. 279.
[117]Ibid.
[118]He died during the rule of Muᶜāwiya (*ra*) and was buried in Bayt al-Maqdis, cf. Shawkānī, *Qaṭru'l-walī*, *al-sayyid* Yūsuf Aḥmad (ed.), pp. 61-2.
[119]Ibid.
[120]Ibid.
[121]Ibid.
[122]He died during the reign of ᶜUthmān (*ra*), cf. al-ᶜAsqalānī, *Taqrīb*, p. 424 (biography 5072).
[123]Ibid., p. 148.

grave who stretched out [271] to regain it, but found the grave had expanded as far as the eye could see.

At the death of Uways al-Qaranī [*r*] the people found unknown death shrouds (*akfān*) among his clothes and a grave dug out in a rock. Thereupon, they buried him after they had wrapped him in the death shrouds.[124] Ibrāhīm al-Taymī [*r*] (d. 92 or 94/ 710/712) once stayed a month or two without eating anything and then went out in search of food for his family, without success. He gathered some red sand and returned to his family and after opening it, found it had become red wheat. He sowed some of it and the wheatears became overlapping seeds.[125] ᶜAbd al-Wāḥid b. Zayd al-Fālij[126] [*r*] once became sick and asked Almighty Allāh to set his limbs free at the time [272] of ritual ablution (*wuḍū'*) before prayer. At the prescribed prayer time, his limbs were set free after which they would return.[127] There are many other similar incidents.

1.13 When does an extraordinary happening become a *karāma*?

In short, whoever was reckoned a *walī*, if he believed in Almighty Allāh, His Angels, Books, Messengers and good and bad fate, upheld the prescribed duties, abandoned the prohibitions and increased in obedience, he is indeed one of the *awliyā'*. Furthermore, his *karāmat* conforming to the *sharīᶜa* is a gift, which no Muslim should reject. Whoever had contrary qualities is not regarded a *walī* and his *wilāya* is not divinely sanctioned, but satanic. Moreover, his [presumed] *karāmāt* are the devil's deception (*talbīs al-shayṭān*) meant to deceive him and others. This is neither strange nor should it be denounced, because many people have one or more demons serving them to attain their needs; sometimes they include one of the forbidden matters (*al-muḥarramāt*). We have earlier mentioned the Qur'ān and Sunna are the yardstick which does not deviate nor oppress. Therefore, whoever follows and relies on these two sources, his *karāmāt* and all his states (*aḥwāl*) are divine; whoever does not follow them and obey their limits, his conditions

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[124]Ibid., Also see *Ṣafwa*, vol. 3, p. 35.
[125]Ibid.
[126]I have been unable to establish his date of death. For his biography see Muḥammad b. Aḥmad al-Dhahabī, *Mīzān al-ᶜtidāl fī naqd al-rijāl*, ᶜAlī Muḥammad al-Bajāwī (ed.), 4 vols. (Beirut: Dār al-Maᶜrifa, n.d.), vol. 2, p. 672.
[127]Ibid. p. 149. He is said to have suffered from partial paralysis.

are devilish ones. Without further discussion on this matter, further commentary of the ḥadīth on hand is now required:

[273] 1.14 Possible hostilities coming from the *walī*

Ibn Ḥajar says in *Fatḥ al-Bārī*:

> Someone showing hostility to the *walī* raises a problem, because hostility occurs from two sides and the *walī* should display patience and forgiveness to the one who acts foolishly towards him. Answering this: hostilities are not restricted to worldly dispute and conduct (*al-khuṣūma wa'l-muᶜāmala al-dunyawiyya*) for instance. In fact, it could be caused by hatred which stems from fanatical following (*al-taᶜaṣṣub*) such as an extremist *Rāfiḍī* who hates Abū Bakr [*ra*] or an innovator (*al-mubtadiᶜ*) who hates the follower of the Sunna (al-Sunnī). In this way, hostility happens from both sides. The *walī's* hostility is for Almighty Allāh's sake and cause, and that of his detractor for the reasons mentioned earlier. The *walī* further dislikes the open and immoral sinner (*al-fāsiq al-mutajāhir*) while the sinner dislikes him, because the *walī* disapproves of his actions and continuously prohibits him from his intense yearnings (*shahawātih*). Hostility can also apply more generally and mean one of the parties does so through action while the other does so with force.[128]

I [i.e., Shawkānī] say most religious hostilities happen between a follower (*al-muttabiᶜ*) and an innovator (*al-mubtadiᶜ*), a believer (*al-mu'min*) and an immoral sinner (*al-fāsiq*), a pious person (*al-ṣālih*) and an impious person (*al-ṭāliḥ*), a learned scholar (*al-ᶜālim*) and an ignoramus (*al-jāhil*) and Almighty Allāh's *awliyā'* and His enemies (*aᶜdā'ih*). Such clarity does not provoke any questions nor pose any problem. A *walī* is not considered so unless he dislikes the enemies of Almighty Allāh, opposes them, and disapproves of their actions. **[274]** Opposing them and disapproving of their actions shows the completeness and correctness of his *wilāya*. The *awliyā'* are the leading worshippers in imitating the

[128]al-ᶜAsqalānī, *Fatḥ al-Bārī*, vol. 13, p. 144.

Prophet (*ṣ*), because when the Prophet (*ṣ*) became angry for His sake his face reddened, his voice amplified until he resembled the one who warns of an approaching army, saying: "The enemy will reach you by tomorrow morning and the enemy will reach you by nightfall (*ṣabbaḥakum wa massākum*)".[129]

Similarly is the case with the believer's hostility towards the *fāsiq* and conversely. He does so, because Almighty Allāh has obliged him to do so and also, because of his own intense dislike of the *fāsiq* committing sin, violating His prohibitions and overstepping His boundaries. The *fāsiq* opposes him, because the latter disapproves of his actions, and the *fāsiq* fears his retaliation. The reason could also be his habitual mocking of those foremost in obedience. That is common knowledge to the one who knows their behaviour, because they regard their entertainment and amusement as a serene way of life (*al-ᶜaysh al-ṣāfī*) and the way of the intelligent persons (*al-ᶜuqalā'*), whereas they regard those engrossed in His obedience hypocrites and petty thieves. The hostility between the scholar and ignoramus is clear; the scholar shuns and opposes him, because of his religious ignorance and unwillingness to perform the obligatory religious duties. The ignoramus in return opposes the *walī*, because he has achieved the most sublime merit of religion. The poet says:

> The ignoramus's status regarding the scholar
> Resembles that of the scholar and the ignoramus
> The one exerts himself regarding his opponent's status
> While the other exerts himself even more.[130]

[275] Hostilities raging between the follower (*al-muttabiᶜ*) and innovator (*al-mubtadiᶜ*), is clearer than the sun itself. The follower treats him with hostility on account of his innovation, while the innovator does so based on his strict and correct adherence to the *sharīᶜa*. Clinging to innovation blinds the perception of the innovator to the extent that he is convinced the follower is misguided and his own misguidance is correct. Sometimes

[129] *Muslim*, *Jumuᶜa*, no chapter number-between ch. 13 and 14. (ḥadīth 43); *Ibn Māja*, (*Muqaddima*), ch. 7 (ḥadīth 45).
[130] *al-Qawl al-mufīd*, p. 2195.

the innovators' hostilities towards the followers exceed that of the Jews and Christians. Undoubtedly, the *awliyā'* have the most generous share of faith, knowledge, and Prophetic emulation. Their enemies increase on account of the many noble qualities Almighty Allāh has bestowed on them.

The innovators envy the *awliyā'* more than they do those known for moral excellence (*ahl al-faḍā'il*), since the *awliyā'* have achieved the same quality of moral excellence as well as having gained nearness to Him through the strict religious obedience He has granted them; the compulsory deeds and voluntary ones. Furthermore, they dislike His enemies based on their religious requisites such as faith, knowledge, righteous deeds, and fearing Him in the most complete manner.

If the aforementioned examples confused you then look at another one which will cause you to understand. For instance, someone favored by the country's ruler his enemies increase, because they envy his worldly status. Similarly, most of the less qualified scholars [*al-muqaṣṣirīn*] oppose the leading scholar, especially if he contradicts their practices. The masses follow them based on their [i.e., *al-muqaṣṣirīn*] sheer numbers. Furthermore, they supply the masses with whatever *fatwās* and rulings (*qaḍā'*) they need, purposely deceiving them by falsely accusing the scholar who has reached and achieve what they cannot. The least they would do is to inform the masses the leading scholar contradicts their beliefs and practices and that of their forefathers. [276] Despite this flagrant accusation against the scholar who dismisses it, the masses accept it unarguably, which inflames their wickedness interminably. This happens in most eras and amongst most people.

Ibn Hubayra (d. 607/1210) says in *Al-Ifṣāḥ*:

> The Prophet's (*ṣ*) statement, 'treated my *walī* with hostility' means he took the *walī* as an enemy. I do not regard its meaning other than he opposed the *walī* on account of his *wilāya*, but despite the generality contained in the statement warning against harming the feelings of the *awliyā'*, it is not

> so general. To the contrary, the generality excludes circumstances which postulate a conflict between two litigating *walīs* that involves recovering a right or clarifying something unclear. Such disputes occurred between Abū Bakr and ᶜUmar [*ra*] and ᶜAbbās (d. 32/652) and ᶜAlī [*ra*] and other similar disputes [between some of the other Companions (*ra*)].
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> Al-Fākihānī (d. 734/1333) criticized Ibn Hubayra stating: 'Opposing the *walī* can only be understood through envy, which means wishing for his *wilāya* to disappear.' [Ibn Ḥajar commented:] 'This is improbable regarding the *walī*, so ponder about it [carefully].' Ibn Ḥajar ends off by saying: 'The opinion I have proffered deserves to be accepted'.[130]

[277] I [i.e., Shawkānī] say the generality of the ḥadīth excludes disputes involving money (*al-amwāl*) and the loss of life (*al-dimā'*), regardless of their occurrence between two *walīs* or a *walī* and a non-*walī*. Whoever asserted a valid claim against the *walī* he had to redress religiously and it was not the cause of mere obstinacy, he is duty bound to free himself from this responsibility. He should not experience difficulty or emotional distress, since the *awliyā'* do not experience emotional distress when repaying the dues of others. Almighty Allāh says:

> *No, by your Lord, they are not mu'minūn until they make you their judge in the disputes that break out between them, and then find no resistance within themselves to what you decide and submit themselves completely.*[131]

[278] The religious judgement of the Messenger (*ṣ*) was based on the pure *sharīᶜa* contained in the Qur'ān and Sunna, which are permanent for judging between Muslims. The scholars who know their contents are found everywhere in the world. If one of the Muslim judges pass judgment against the *walī* regarding the dues of others based on the Qur'ān and Sunna, it becomes more necessary for him to obey it, because of his sublime

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[130] *Fatḥ al-Bārī*, vol. 13, p. 144.
[131] *s.* 4 v. 65.

status, than the non-*walī*. Any difficulty and emotional distress he experiences blemishes his *wilāya*. Furthermore, the plaintiff and the judge are blameless.

1.15 Returning to the measure of *wilāya*

We have earlier mentioned[132] the yardstick which shows the *walī's* sound *wilāya* is his following the Qur'ān and Sunna, preferring them above everything else, preferring them in his comings and goings and in all his affairs; when he deviates from them, his *wilāya* disappears. Look at the contents of this noble verse[133], which serves as a warning for those in need of a warning and a reminder for those in need of a reminder. That is, because Almighty Allāh first starts with a Divine oath then sanctifies and honors the Prophet (ṣ) by attaching Lordship to his name and categorically negates **[279]** the belief of anyone who contradicts it by saying: "*They are not believers*". Furthermore, He makes the Prophet's (ṣ) judgment in the disputes of the worshippers the objective (*al-ghāya*) and adds: "*…And then find no resistance within themselves to what you* [i.e., Muḥammad (ṣ)] *decide and submit themselves fully*".[134]

It is not enough to show mere willingness for arbitration by the Qur'ān and Sunna unless the person does not find any difficulty with the resulting judgment. Almighty Allāh further adds "*…and they submit themselves*" (*wa yusallimū*). Even displaying readiness for arbitration by them without experiencing any difficulty with the resulting ruling is still not enough unless he unconditionally accepts the consequences of the ensuing verdict. He finally emphasizes the submission [by adding "fully" (*taslīmā*)] which offers no exit or escape. How can the *walī* harbor ill feelings towards his opponent having a valid claim he has to repay or the judge judging against him in the dispute?

This is not the conduct of the believers. How much more so the *awliyā'* of Almighty Allāh who have added Divine Honor and *wilāya* to their faith? That is only if the plaintiff knows he has a rightful claim and it is undoubtedly his, because the judge rules on the

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[132] See p. 110.

[133] Shawkānī is referring to the verse (*s.* 4 v. 65): "*No, by your Lord, they are not believers until they make you their judge in disputes that break out between them, and then find no resistance within themselves to what you decide and submit themselves completely*".

[134] Ibid.

apparent *sharīʿa* (*al-ẓāhir al-sharʿī*). It is confirmed in the *Ṣaḥīḥayn* and other ḥadīth sources the Prophet (*ṣ*) said:

> I listen to your disputes and perhaps some of you are more eloquent in presenting his case than others. I give judgment based on oral testimony, so, he whom I have given of his brother's right should refuse it, because I have awarded him a piece of the Hellfire.[135]

[280] The truthful and trustworthy (*al-ṣādiq al-maṣdūq*), the leader of humanity and the prophet sent to the worlds of mankind and *jinn* has enounced this.[136] He has informed us if the reality (*bāṭin*) of the matter contradicted his judgement based on oral testimony the successful litigant is prohibited to take his brother's property. Rather, it is considered a piece of the Hellfire. How much more so the judge susceptible to error, who is sometimes correct and other times not, who is fallible and receives no revelation? The Prophet (*ṣ*) stated in a reliable ḥadīth in the *Ṣaḥīḥayn* and other ḥadīth works, "If the judge gives judgment by *ijtihād* and is correct, he receives two rewards; if he gives judgment by *ijtihād* and commits an error, he receives one reward".

The ruling of every judge vacillates between right and wrong, but he will still gain reward regardless of the ruling, as it is his duty. It is further unlawful for the successful litigant to make his adversary's money lawful to himself based on a mere judgment, as specified by the Prophet (*ṣ*) [in the reliable tradition] regarding his own honorable judgments. How much more so with the ruling of his nation's judges who try to emulate him? The Prophet (*ṣ*) has further confirmed in a reliable ḥadīth in the [four] *Sunan* and other ḥadīth sources:

> Judges are of three types: two will enter the Hellfire and one will enter Paradise. The one who knew the truth **[281]** and judged by it will enter

[135] *Bukhārī*, *Maẓālim*, ch. 16 (ḥadīth 2458), *Shahādāt*, ch. 27 (ḥadīth 2680), *Ḥiyal*, ch. 10 (ḥadīth 6967), *Aḥkām*, ch. 20 (ḥadīth 7169), ch. 29 (ḥadīth 7181), ch. 31 (ḥadīth 7185); *Muslim*, *Aqḍiya*, ch. 3 (ḥadīth 4); *Abū Dāwūd*, *Aqḍiya*, ch. 7 (ḥadīth 3583); *Tirmidhī*, *Aḥkām*, ch. 11 (ḥadīth 1339); *Ibn Māja*, *Aḥkām*, ch. 5 (ḥadīth 2317).

[136] The *jinn* are mentioned in the noble Qur'ān and Prophetic Sunna more notably in chapter 72 (*al-Jinn*), which is specifically dedicated to them. They live in the unseen world and sometimes play a major role in certain unnatural happenings.

> Paradise. The two judges in Hellfire are the one who ignorantly judged between people and the one who knew the truth, but judged contrary to it.[137]

By this you will know the one having instituted proceedings against the *walī* if he knew he had no rightful claim against him and his claim was false then he is also included in the Prophet's (ṣ) statement, "…whoever shows hostility to My *walī*". His false claim against him openly shows his hostility towards him and he thus fully deserves the retaliation Almighty Allāh warns about in the ḥadīth. As for the judge who rules against him and believes his ruling is correct and in consonance with the Qur'ān and Sunna after having exerted himself to study and examine the evidences and showing competence in his duty then this is not considered opposing the *walī*. He is blameless if his ruling harmed the *walī*, since he has judged with the pure *sharī'a* and therefore deserved two, or one recompense having obeyed the Prophetic guideline.

1.16 What is meant by the *sharī'a*

Here is an important point every scholar has to note: if by the term '*sharī'a*' the Qur'ān and Sunna was intended, neither Allāh's *awliyā'* nor anyone else can deviate from them nor contradict them in any matter. If, however, the judge's ruling was intended then it could be correct or even incorrect according to the Prophet's (ṣ) [282] clarification in the last ḥadīth[138] based on the first meaning. In this case, no one should deviate from it. He who has done so has committed a blatant act of disbelief.

He who believes the *walī* can reach Almighty Allāh through any other way than the Qur'ān and Sunna and following the Prophet (ṣ) is a liar. Many scholars have mistakenly used the word *sharī'a* to cover both these meanings. How disgusting is their mistake, severe its result, and great its danger?

1.17 Worldly and religious realities in the noble Qur'ān

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[137] *Abū Dāwūd*, *Aqḍiya*, ch. 2 (ḥadīth 3573); *Tirmidhī Aḥkām*, ch. 1 (ḥadīth 1322); *Ibn Māja*, *Aḥkām*, ch. 3 (ḥadīth 2315).

[138] See p. 130.

Similarly, as confusion occurred between these two categories[1], it has also occurred between two other categories even though they are outside the scope of *wilāya* we are currently discussing, that is, the difference between worldly and religious will (*al-irāda*), worldly and religious command (*al-amr*), worldly and religious permission (*al-idhn*), worldly and religious decree of matters (*al-qaḍā'*), worldly and religious dispatching (*al-baᶜth*), worldly and religious sending (*al-irsāl*), worldly and religious appointment (*al-jaᶜl*), worldly and religious prohibition (*al-taḥrīm*) and worldly reality and religious reality (*al-ḥaqīqa*).

The distinction between these juxtaposed meanings is clear despite their obscurity to some scholars who confused and mixed up their meanings. [283] Clarifying this is that creation and command belongs to Almighty Allāh:

> *Your Lord is Allāh, Who created the heavens and the earth in six days and then settled Himself firmly on the Throne.*[139] *He covers the day with the night each pursuing the other urgently; and the sun and moon and stars are subservient to His Command. Both creation and command belong to Him. Blessed be Allāh, the Lord of all the worlds.*[140]

He is the Creator of everything, the Lord and King besides whom there is no other god or king; whatever He wills, happens and whatever He does not will, does not happen. Every commission and ommission (*ḥaraka wa sukūn*) exists by His determining (*bi-qaḍā'ih*), predestining (*wa qadarih*), will (*wa mashī'atih*), power (*wa qudratih*) and creation (*wa khalqih*). He has commanded with His obedience and that of His Messenger [ṣ] and has

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[1] Shawkānī is referring to the earlier issue of the *sharīᶜa* meaning: that which Almighty Allāh commanded in the Qur'ān and Sunna or the judge's judgment

[139] Allāh has risen or settled above His Throne in a manner, which befits His Majesty, and it is not comparable with any human movement. Accepting the Divine qualities mentioned in the Qur'ān and Sunna without interpreting them, asking about their likeness or comparing them to human qualities is the belief of earlier ḥadīth scholars such as Sufyān al-Thawrī, Shuᶜba b. al-Ḥajjāj, Ḥammād b. Zayd, Ḥammād b. Salama, al-Bukhārī, Muslim, al-Tirmidhī, Mālik, al-Shāfiᶜī and Aḥmad b. Ḥanbal among others. Cf. *Fatḥ al-Bārī*, *Tawḥīd*, ch. 22 vol. 15, p. 365.

[140] *s.* 7 v. 54.

forbidden disbelief regarding Him. Belief and sincerity are the greatest acts of obedience to Him whereas disbelief is the greatest sin, He states regarding this:

> *Allāh does not forgive anything being associated with Him, but He forgives whoever He wills for anything other than that.*[141]
> *Some people set up equals to Allāh, loving them as they should love Allāh.*
> *But those who have iman have greater love for Allāh.*[142]

It is documented in the *Ṣaḥīḥayn* and other ḥadīth sources on the authority of Ibn Masᶜūd (d. 32/652) who said:

> I said O Messenger (*ṣ*), [284] 'Which is the greatest sin? He replied, 'Ascribing a partner to Almighty Allāh who has created you.' I asked, 'Then which? He said, 'Murdering your son out of fear of feeding him with yourself. I asked, 'Then which?' He said, 'fornicating with your neighbor's wife'.[143] Almighty Allāh has revealed the following verse to verify that:
>
> *Those who do not call on any other god together with Allāh and do not kill anyone Allāh has made inviolate, except with the right to do so, and do not fornicate; anyone who does that will receive an evil punishment and on the Day of Rising his punishment will be doubled and he will be humiliated in it timelessly, for ever, except for those who make tawba (repent) and have iman and act rightly: Allāh will transform the wrong actions of such people into good-Allāh is Ever forgiving, Most Merciful…*[144]

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[141] *s.* 4 v. 48.
[142] *s.* 2 v. 165.
[143] *Bukhārī*, *Tafsīr*, *surah al-Baqara*, ch. 3 (ḥadīth 447), *Adab*, ch. 20 (ḥadīth 6001), *Ḥudūd*, ch. 20 (ḥadīth 6811), *Diyyāt*, ch. 1 (ḥadīth 6861), *Tawḥīd*, ch. 40 (ḥadīth 7520); *Muslim*, *Iman*, ch. 36 (ḥadīth 141); *Tirmidhī*, *Tafsīr*, *surah al-Furqān*, ch. 26 (ḥadīth 3183); *Abū Dāwūd*, *Ṭalāq*, ch. 50 (ḥadīth 2310).
[144] *s.* 25 v. 68-70.

He has commanded justice (*al-ᶜadl*) and the doing of good (*al-iḥsān*), and giving to the near relatives, and has forbidden illicit sex (*al-faḥshā*), evil (*al-munkar*) and tyranny (*al-baghyi*).[145] He has specified He loves the pious (*al-muttaqīn*), the charitable (*al-muḥsinīn*), the repenters (*al-tawwābīn*) and the pure (*al-mutaṭahhirīn*)[146]. Furthermore, He loves those who fight in His way-in ranks like well-built walls,[147] and dislikes the forbidden matters stating: "*All of that is evil action and hateful in the sight of your Lord*".[148] He has further forbidden disbelief, showing disobedience to the parents,[149] and commanded with giving people their rightful due, and has forbidden wastefulness and stinginess[150] [285].[151] He has also forbidden unlawful killing[152] and misappropriating the minor orphan's wealth except what serves his best interest,[153] until He says, "*All of that is evil action and hateful in the sight of your Lord*".[154] He, Almighty Allāh, does not love mischief and disapproves of unbelief for His worshippers.[155]

The worshipper is commanded to repent according the verse: "*Whoever does an atom's weight of good will see it. Whoever does an atoms weight of bad will see it*".[156] He further states:

> *Compete with one another* [in seeking] *forgiveness from your Lord and for a garden as wide as the heavens and the earth, prepared for the people who have taqwā (fear): those who give in both times of ease and hardship, those who control their rage and pardon other people-Allāh loves the good-doers-those who, when they act indecently or wrong themselves, remember Allāh and ask forgiveness for their bad actions (and who can*

[145]Cf. *s.*16 v. 90.
[146]Cf. *s.* 2 v. 222.
[147]Cf. *s.* 61 v. 4.
[148]*s.* 17 v. 38.
[149]Cf. *s.* 17 v. 23.
[150]Cf. *s.* 17 v. 26.
[151]The verse calls for moderation in giving and spending, cf. *s.* 17 v. 29.
[152]Cf. *s.* 17 v. 33.
[153]Cf. *s.* 17 v. 34.
[154]*s.* 17 v. 38.
[155]Cf. *s.* 39 v. 7.
[156]*s.* 99 v. 7-8.

> *forgive sins except Allāh?) and do not knowingly persist in what they were doing.*[157]

Everything Almighty Allāh has determined and predestined He desires to exist even though He does not command, love or approves of it, nor does He reward the perpetrators and elevate them to the status of His *awliyā'*. Also, any deed He has commanded, legislated, loved, approved of, and loved the doers through reward and honor, that is what He loves, approves of and rewards for. Worldly will and command (*al-irāda al-kawniyya wa'l-amr al-kawnī*) constitutes His will (*mashī'atuh*) through which He has created all His creation: humanity and *jinn*, the believers and disbelievers, the animate and the inanimate, and the harmful and the beneficial among them. His religious will and command (*al-irāda al-dīniyya wa'l-amr al-dīnī*) constitutes His Love encompassing all His commands which enunciates His law and religion that specifically deal with correct faith and good deeds. [286] Examples of worldly will (*al-irāda al-kawniyya*) include His statements:

> *When Allāh desires to guide someone, He expands his breast to Islam. When He desires to misguide someone, He makes his breast narrow and constricted as if he were climbing up into the sky.*[158]
>
> Nūḥ said: '*My counsel will not benefit you, for all my desire to counsel you, if Allāh desires to lead you into error'.*[159]
>
> *When Allāh desires evil for a people, there is no averting it.*[160]

Examples of religious will (*al-irāda al-dīniyya*) include His statements:

> *But any of you who are ill or on a journey should fast a number of other days. Allāh desires ease for you; He does not desire difficulty for you.*[161]

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[157] *s.* 3. v. 133-5.
[158] *s.* 6 v. 125.
[159] *s.* 11 v. 34.
[160] *s.* 13 v. 11.
[161] *s.* 2 v. 185.

Allāh does not want to make things difficult for you, but He does want to purify you and to perfect His Blessing upon you so that hopefully you will be thankful.[162]

Allāh desires to make things clear for you and to guide you to the correct practices of those before you and to turn towards you. Allāh is All-Knowing, All-Wise. Allāh desires to turn towards you, but those who pursue their lower appetites desire to make you deviate completely. Allāh desires to make things lighter for you. Man was created weak.[163]

Allāh desires to remove all impurity from you, People of the House, and to purify you completely.[164]

[287] Examples of worldly command (*al-amr al-kawnī*) include His statements:

Our Word to a thing when We desire it is just to say to it 'Be!' and it is.[165]

Our Command is only one word, like the blinking of an eye.[166]

Our Command comes upon it [i.e., the world] *by day or night and We reduce it to dried-out stubble, as though it had not been flourishing just the day before!*[167]

Examples of religious command (*al-amr al-dīnī*) include His statements:

Allāh commands justice and doing good and giving to relatives. And He forbids indecency and doing wrong and evil deeds.[168]

Allāh commands you to return to their owners the things you hold on trust and, when you judge between people, to judge with justice. How excellent is what Allāh exhorts you to do! Allāh is All-Hearing, All-Seeing.[169]

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[162] *s.* 5 v. 6.
[163] *s.* 4 v. 26-8.
[164] *s.* 33 v. 33.
[165] *s.* 16 v. 40.
[166] *s.* 54 v. 50.
[167] *s.* 10 v. 24.
[168] *s.* 16 v. 90.
[169] *s.* 4 v. 58.

Examples of worldly permission (*al-idhn al-kawnī*) include His statement:

> *But they cannot harm anyone by it, except with Allāh's Permission.*[170] That means by His will and power, because He does not allow black magic.

Almighty Allāh states regarding religious permission (*al-idhn al-dīnī*):

> *We have sent you as a witness, and a bringer of good news and a warner, and a caller to Allāh by His Permission and a light-giving lamp.*[171]
> *We sent no Messenger except to be obeyed by Allāh's Permission.*[172]
> *Whatever palm-trees you cut down, or left standing upright on their roots, it was done by Allāh's Permission.*[173]

Examples of worldly decree (*al-qaḍā' al-kawnī*) include His statements:

> [In two days] *He determined them as seven heavens.*[174]
> *When he decides on something, He just says to it, 'Be!' and it is.*[175]

[288] Examples of religious decree (*al-qaḍā' al-dīnī*) include His statements:

> *Your Lord has decreed that you should worship none but Him.*[176] Meaning '*He commanded*' and it does not mean '*He willed*' because they worshipped other gods than Him such as, '*They worship, instead of Allāh, what can neither harm them nor help them, saying, 'These are our intercessors with Allāh*'.[177] And the *Khalīl's* [i.e., Ibrāhīm (*as*)] statement,

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[170] *s.* 2 v. 102.
[171] *s.* 33 v. 46.
[172] *s.* 4 v. 64.
[173] *s.* 59 v. 5.
[174] *s.* 41 v. 12.
[175] *s.* 40 v. 68.
[176] *s.* 17 v. 23.
[177] *s.* 10 v. 18.

> '*Have you really thought about what you worship, you and your father's who came before you? They are all my enemies-except for the Lord of all the worlds'.*[178]
>
> *You have an excellent example in Ibrāhīm and those with him, when they said to their people, 'we wash our hands of you and all that you worship apart from Allāh, and we reject you. Between us and you there will be enmity and hatred for ever unless and until you have iman in Allāh alone'.*[179]
>
> *Say: 'Kāfirūn (disbelievers)! I do not worship what you worship…'*[180] until the end of the chapter.

Some examples of worldly dispatching (*al-baᶜth al-kawnī*) include His statements:

> *When the promised first time came, we sent against you slaves of ours possessing great force, and they ransacked your houses, rampaging right through them. It was a promise, which was fulfilled.*[181]

Examples of religious dispatching (*al-baᶜth al-dīnī*) include His statements:

> *It is He who raised up among the unlettered people a Messenger from them to recite His signs to them and purify them and teach them the Book and Wisdom…*[182]
>
> *We sent a Messenger among every people saying, 'Worship Allāh and keep clear of all false gods'.*[183]

[289] Examples of worldly sending (*al-irsāl al-kawnī*) include His statements:

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[178] *s.* 26 v. 75-7.
[179] *s.* 60 v. 5.
[180] *s.* 109 v. 1.
[181] *s.* 17 v. 5.
[182] *s.* 62 v. 2.
[183] *s.* 16 v. 36.

Do you not see that We send the shayṭāns against those who are kāfir to goad them on?[184]
It is He who sends out the winds, bringing advance news of His Mercy…[185]

Some examples of religious sending (*al-irsāl al-dīnī*) include His statements:

O Prophet! We have sent you as a witness, and a bringer of good tidings and a warner…[186]
We have sent you a Messenger to bear witness against you just as we sent Pharaoh a Messenger.[187]

Examples of worldly appointment (*al-jaᶜl al-dīnī*) include His statements:

We made them leaders, summoning to the fire…[188]

Some examples of religious appointment (*al-jaᶜl al-dīnī*) include His statements:

We have appointed a law and practice for every one of you.[189]
Allāh did not institute any such thing as baḥīra or sā'iba or waṣīla or ḥāmi.[190]

Examples of worldly prohibitions (*al-taḥrīm al-kawnī*) include His statements:

We first made him refuse all wet-nurses...[191]
The land will be forbidden to them for forty years during which they will wander aimlessly about the earth.[192]

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[184] *s.* 19 v. 83.
[185] *s.* 7 v. 57.
[186] *s.* 33 v. 45.
[187] *s.* 73 v. 15.
[188] *s.* 28 v. 41.
[189] *s.* 5 v. 48.
[190] *s.* 5 v. 103. These are names of camels connected to pre-Islamic superstitions.
[191] *s.* 28 v. 12.

Examples of religious prohibitions (*al-taḥrīm al-dīnī*) include His statements:

> *Ḥarām (forbidden) for you are carrion, blood and* [290] *pork, and what has been consecrated to other than Allāh…*[193]
> *Ḥarām for you are: your mothers and your daughters and your sisters, your paternal aunts and your maternal aunts, your brothers' daughters and your sisters' daughters…*[194]
> *Say: 'I do not find, in what has been revealed to me, any food it is ḥarām to eat…*[195]
> *Say: 'My Lord has forbidden indecency…*[196]

All the preceding textual evidences referring to worldly matters are called worldly realities and those referring to religious matters are called religious realities.

1.18 Invalidating the sinner's use of destiny as a proof

If you know this then take heed he who assumes destiny is a proof favoring the sinners has clearly erred, and has echoed the disbelievers' statement which Almighty Allāh has recounted in the Qur'ān: "*If Allāh had willed we would not have associated anything with Him, nor would our fathers; nor would we have made anything ḥarām (forbidden)*".[197] He further stated:

> *In the same way, the people before them also lied until they felt Our violent force. Say: 'Do you have some knowledge you can produce for us? You are following nothing but conjecture. You are only guessing.' Say: 'Allāh's is the*

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[192] *s.* 5 v. 26.
[193] *s.* 5 v. 3.
[194] *s.* 4 v. 23.
[195] *s.* 6 v. 145.
[196] *s.* 7 v. 33.
[197] *s.* 6 v. 148.

conclusive judgment. If he had willed He could have guided every one of you'.[198]

[291] If predestination indeed sanctions sin Almighty Allāh would not have castigated those who belied the prophets such as the nation of Nūḥ (*as*), ᶜĀd, Thamūd, Pharaoh's people and other nations besides them, nor would He have commanded punishment for the perpetrators of sin [in the *sharīᶜa*] . No one but the slave to his own desires, without guidance from Him, postulates predestination as proof. He who assumes that, should neither chastise the disbeliever, nor the sinner, nor retaliate to his hostility, nor should he distinguish between the doer of good or bad. Such reasoning opposes the intellect of all wise persons (*al-ᶜuqalā'*) and all the revealed books as well as the prophets' (*as*) speech. [The protagonist of this opinion] has not used his intellect or the religion. Almighty Allāh states:

Or do those who perpetrate evil deeds suppose that We will treat them like those who have iman and do right actions, so that their lives and deaths will be the same? How bad their judgment is![199]
Did you suppose that We created you for amusement and you would not return to Us?[200]

There are many other verses and reliable ḥadīth [refuting this argument]. Furthermore, [mistaken] is he who asserts the dispute between Ādam and Mūsā (*as*) favors the protagonists of predestination when Mūsā (*as*) said:

You are the father of humanity. Almighty Allāh created you with His Hand and commanded the angel to blow into you [a soul which He has created for you] and He commanded the angels to prostrate to you. Why have you expelled yourself and us from paradise? Ādam replied, 'Almighty Allāh raised you in stature with His Speech [i.e., spoke directly to you] and wrote the

[198] *s.* 6 v. 148-9.
[199] *s.* 45 v. 21.
[200] *s.* 23 v. 115.

> *Tawrā* for you with His Hand. Why do you blame me for something which He has destined for me before I was created? The Prophet (*ṣ*) said, Ādam refuted Mūsā (*as*) in this way.[201]

The ḥadīth appears with this wording in the *Ṣaḥīḥayn* and other ḥadīth sources. [292] Its deduction is that Mūsā (*as*) blamed his forefather, Ādam (*as*), because he had eaten from the tree, which caused his expulsion and that of his progeny from Paradise. He did not blame him because he commited a sin from which he [later] repented, since he knew the repenter from sin is blameless. The Prophet (*ṣ*) has stated in a reliable ḥadīth *qudsī*[202]: "O My worshippers they are your deeds I have recorded and I will reward you for them [in the Hereafter]. Therefore, whoever finds happiness [in the Hereafter] should praise Almighty Allāh and whoever finds misery should blame no one but his own self".[203]

1.19 The Companions' (ra) status of *wilāya*

Let us now return to the ḥadīth under discussion and we say: Know the distinguished Companions (*ra*) who combined between *jihād* and knowledge of Prophetic revelation; those who were blessed to witness revelation, accompany him during good and bad times, and exhausted themselves physically and financially to fight in *jihād*, are the best generation according the reliable traditions. They are the most excellent believers, because Almighty Allāh has honored the [Islamic] nation stating: "*You are the best nation ever to be produced before humankind*"[204] , and its followers will act as witnesses against the rest of humanity [in the Hereafter] according the Qur'ān. [293] They [i.e., Prophetic nation] are, therefore, the most excellent worshippers and the best of generations; the earlier and later ones, the first and the last and the Companions amongst them are the best generation and the most distinguished group until the Day of Resurrection.

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[201] *Bukhārī*, *Qadr*, ch. 11 (ḥadīth 6614); *Anbiyā'*, ch. 31 (ḥadīth 3409), *Tawḥīd*, ch. 37 (ḥadīth 7515), *Tafsīr*, *surah Ṭāhā*, ch. 1 (ḥadīth 4736); *Muslim*, *Qadr*, ch. 2 (ḥadīth 15); *Tirmidhī*, *Qadr*, ch. 2 (ḥadīth 2134); *Ibn Māja* (*Muqaddima*) ch. 10 (ḥadīth 80).
[202] See pp. 95-6.
[203] *Muslim*, *Birr wa'l-ṣila*, ch. 15 (ḥadīth 2577).
[204] *s.* 3 v. 110.

This confirms their status as the best of creation as only the Prophets (*as*) and angels superseding them in virtue. Thus, no one who spends the weight of Uḥud in gold as charity will equal their measure (*mudd*) or half of it. If they are not reckoned the leading *awliyā'* (*ra's al-awliyā'*) and the most distinguished and pious worshippers (*ṣafwa al-atqiyā'*) then Almighty Allāh has no *awliyā'* and pious and distinguished worshippers. The Qur'ān further mentions He was pleased with the majority of the Companions who pledged their loyalty to the Prophet under the tree.[205]

The *mutawātir*[206] traditions confirm Almighty Allāh looked at the warriors of Badr[207] and said: "Do as you please, because I have already forgiven you".[208] The Prophet (*ṣ*) further declared some of them will enter paradise.[209] His statement in the ḥadīth "…whoever shows hostility to My *walī*", therefore, a fortiori applies to them first. Look-may Almighty Allāh guide you-at what the the Rāfiḍa-may He belittle them-did of defaming, cursing and criticizing the Companions [*ra*] who are the leading *awliyā'* (*ru'ūs al-awliyā'*), the leading pious people (*ru'ūs al-atqiyā'*), the exemplar for the believers and Muslims, and His best worshippers overall. Look, to what extent the accursed devil has reached with these bold and deceived people regarding the Companions [*ra*] honored and protected personalities.

[294] O Allāh! How strange are these feeble intellects, disgusting understandings, inferior minds, and sick perceptions, because the deceit the devil has employed against them the most unintelligent, unmindful, rigid and disinterested person in knowledge and investigation understands. He has tempted them to believe the Companions (*ra*) possessing these countless merits deserve such disgrace and having their honorable

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[205]Cf. *s.* 48 v. 17.

[206]This is the strongest type of ḥadīth and is not subject to any scrutiny, because it was narrated by so many narrators in the many different parts of the world that the intellect refuses to accept that they could have conspired to forge a lie.

[207]The first battle between the Prophet (*ṣ*) after the Hijra and the pagan Arabs took place at Badr on the 17th of Ramaḍān.

[208]*Bukhārī*, *Maghāzī*, ch. 9 (ḥadīth 3982), *Jihād*, ch. 141 (ḥadīth 3007), *Tafsīr*, *surah al-Mumtaḥina*, ch. 1 (ḥadīth 4890); *Muslim*, *Faḍā'il al-ṣaḥāba*, ch. 36 (ḥadīth 161); *Tirmidhī*, *Tafsīr surah al-Mumtaḥina*, (ḥadīth 3305); *Abū Dāwūd*, *Jihād*, ch. 108 (ḥadīth 2650).

[209]These are the ten Companions (*ra*) among others the Prophet (*ṣ*) has promised paradise: Abū Bakr, ᶜUmar, ᶜUthmān, ᶜAlī, Ṭalḥa b. ᶜUbayd Allāh, al-Zubayr b. al-ᶜAwwām, Saᶜd b. Abī Waqqāṣ, Saᶜīd b. Zayd, Abū ᶜ Ubayda b. al-Jarrāḥ and Abd al-Raḥmān b. ᶜAwf (*ra*).

virtues rejected to the extent as if they had never laid the foundation of Islam with their swords, erected the palaces of religion with their spears, legitimized overthrowing the Roman and Persian empires, destroyed the light of Christianity and fire worshipping (*al-majūsiyya*), severed the cords of disbelief of the disbelieving factions of the pagan Arabs and other religions, and spread Islam to the civilized corners of the east, west, north and south.

After that, a small patch of Islam started to spread, and legislative belief started to cover the world causing the cords of disbelief to collapse, its ties to snap and its joints to separate. The black and red skinned and the idolater and the religious minded (*al-millī*) all started to worship with Almighty Allāh's religion. Is there anyone with less distinguishing abilities, who is more ignorant and has a more corrupt opinion than the Rāfiḍa? O Allāh! How strange of them to oppose the best worshippers and the most valuable ones to the religion, which He has sent the Prophet (*ṣ*) with.

They have never met the Companions [*ra*] nor their contemporaries, and the Companions have never harmed nor wronged them regarding their money, unlawful killing or defaming their honor. To the contrary, they have been buried under the sand for centuries enjoying the greatest mercy. How splendid is the statement of a contemporary governor regarding some Rāfiḍīs who aspired **[295]** to tempt and entangle him into their Rafḍ: "Why should I bother with people, who, between them and I, are more than one thousand and two hundred years".

He was not a scholar, but a slave whose master appointed him as governor. His sound mind led him to this logical argument any intelligent person will instinctively grasp. Every intelligent person knows to display hatred towards someone who has not wronged him regarding his wealth, unlawful killing or honor; someone from another generation altogether who is unable to compete with his status, does not benefit the perpetrator in the least. This is considering he will not experience any harm in his religion because of this. The more so, if it was one of the major sins where nothing but the dishonored rival's forgiveness will save the perpetrator.

Look-May Almighty Allāh protect you-at the serious warning contained in the ḥadīth about backbiting a Muslim, which means mentioning the truth about someone in absentia, as was reliably reported from the Messenger (ṣ) who clarified the issue to the questioner who asked concerning it. He further asked about false accusations, which the Prophet (ṣ) termed lies. He never allowed backbiting in any form. We have explained this issue in an essay[210] to refute imam al-Nawawī and other scholars who assert the permissibity to do so in six instances. We have disproved their opinion where after no doubt should remain. Whoever still doubts, should read the refutation, because it will cure the sickness to which many of the worshippers have succumbed.

If it was clearly forbidden and a major sin to backbite a living Muslim, then how much more when doing so to the dead about whom the Prophet (ṣ) [296] stated: "Do not slander the dead, because they have reached their goal they have striven for [i.e., of good or bad deeds]".[211] How much more so if those slandered and had their dignity blemished and sanctity debased were the best of creation and all the worlds as we have verified earlier? Glory be to the Patient (*al-Ṣabbūr*) and Fore-Bearing (*al-Ḥalīm*) [i.e., Almighty Allāh].

O you bold perpetrator who has rushed into this major sin, if your motivation and involvement in its evil was the hope of gaining a worldly benefit and an immediate gain; you will not gain anything from it, not even a seed or its shell. We as well as our predecessors have experienced whoever sought material gain through slander, which was pioneered by the accursed devil and the disbelieving leaders of the Bāṭiniyya,[212] Qarāmiṭa[213] and Ismāᶜīliyya[214], he became troubled, his livelihood became restricted, his

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[210]Cf. Shawkānī, *Raf' al-rība fī mā yajūzu wa mā lā yajūzu min al-ghība* in *al-Fatḥ al-Rabbānī min fatāwā al-imām al-Shawkānī*, Muḥammad Ṣubḥī Ḥallāq (ed.), 12 vols. (Sanaa: Maktaba al-Jīl al-Jadīd, 2002), vol. 11, pp. 5557-5597.

[211]*Bukhārī*, *Janā'iz*, ch. 97 (ḥadīth 1393).

[212]They are a Shīᶜite sect who believes in a deeper meaning of the revealed scripture which cannot be found in the apparent meaning of noble Qur'ān and Sunna. Cf. Farhad Daftary, *The Ismāᶜīlīs: their history and doctrines* (New York: Cambridge University Press, 1992), p. 87.

[213]Ḥamdān Qarmaṭ founded the Carmatian dynasty and represented the Ismāᶜīlīs in Iraq taking his orders from the central leadership based in Syria. Cf. Daftary, *The Ismāᶜīlīs*, p. 116.

[214]The Ismāᶜīliyya or Ismaᶜīlīs derive their name from the son of the Shīᶜī imam Jaᶜfar al-Ṣādiq and can be regarded as the most revolutionary Shīᶜite wing. Cf. Daftary, *The Ismāᶜīlīs*, p. 1.

desires opposed him and he became depressed like someone suffering from hypothyroidism looking ragged, until almost everyone who sees him knows he is a Rāfiḍī. We do not know of any successful Rāfiḍī in our lands ever. Alternatively, if your religion was the motivation, then you have deceived yourself and your devil companion[215], the greatest liar, has deceived you.

The religion of Almighty Allāh means following the Qur'ān and Sunna. See if they contain anything other than Him informing us **[297]** He is satisfied with the Companions [*ra*][216], they are severe to the disbelievers,[217] He enrages the disbelievers by them[218] and that no one matches or compares to them. They are those who spent their wealth and fought for Islam before the conquering of Mecca, and spent of their wealth even after it according the Qur'ān.[219] Furthermore, they sincerely fought in *jihād* for His sake, defended the religion with their wealth and strength, and instituted the compulsory duties of religion spreading them among the Muslims. They are, therefore, generally and specifically mentioned, with great merit and sublime virtue, in the pure Sunna. He who doubts can check the ḥadīth references of Islam, the associated *musnadāt*,[220] *mustadrakāt*[221] and biographical dictionaries (*maᶜājim*) and other works, where he will find their lofty virtue; which will cure his disease, quench his burning desire, cause him to renounce his error, and open the doors of guidance to him. That is, if he knew the Qur'ān and Sunna constitute the *sharīᶜa* and there is no other *sharīᶜa* amongst the Muslims from Almighty Allāh and His Messenger (*s*).

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[215]Shawkānī refers here to the constant companion of the *jinn* who is assigned to every person as confirmed by the ḥadīth in which the Prophet (*s*) referred to the jealousy of ᶜĀ'isha (*ra*) as the result of her constant companion's (*qarīn*) whispering. Cf. *Muslim*, *Ṣifāt al-munāfiqīn*, ch. 16 (ḥadīth 70).

[216]Cf. *s.* 98 v. 8.

[217]Cf. *s.* 48 v. 29.

[218]Ibid.

[219]Cf. *s.* 57 v. 10.

[220]A *musnad* is a ḥadīth compilation whose material is arranged according to the name of their original narrating authorities such as the *musnads* of Abū Dāwūd al-Ṭayālisī (d. 204/819), ᶜAbd Allāh b. Abī Shayba (d. 235/849) Aḥmad b. Ḥanbal (d. 233/847) and Abū Khaythama (d. 234/846) Cf. Muḥammad Zubayr Ṣiddīqī, Abdal Hakim Murad (ed.), *Ḥadīth Literature: Its origin, Development and Special Features* (Cambridge: The Islamic Texts Society, 1993), p. 11.

[221]The *mustadrak* is a compilation of ḥadīth in which the author, having accepted the conditions laid down by the previous author, collects such other traditions as fulfil those conditions and were overlooked by his predecessor such as the *Mustadrak* of Al-Ḥākim al-Nīsāburī. Cf. *Ḥadīth Literature*, p. 12.

If he did not know their virtue and claimed he had predecessors who committed this major sin and shared this odious quality, then the devil has deceived him with the same deception and put him through the same ordeal as his predecessors. Because, Almighty Allāh has protected the earlier and later scholars of Islam as well as their *mujtahids* and *muqallids* from falling into this great disaster, which destroys religion and expels the perpetrator from the fold of the believers to the way of the atheists. [298]

1.20 The Prophetic family's (*Ahl al-Bayt*) attitude towards the Companions (*ra*)

If the Rāfiḍī should claim a scholar of the pure *Ahl al-Bayt* has stated this misguidance, he has clearly lied about them, since they are all unanimous in honoring the distinguished Companions (*ra*). Whoever is unaware of this fact should read my earlier treatise titled *Irshād al-ghabī ilā madhhab Ahl al-Bayt fī ṣaḥb al-Nabī* (Guiding the Ignoramus to the correct Belief of the *Ahl al-Bayt* about the Prophet's (*ṣ*) Companions).[222] It cites fourteen consensuses narrated via various chains connected to their great scholars and from the followers who adhere to their *madhhab*. O you deceived person, who did you imitate and who guided you? Which opinion did you cling to and which path did you take? Woe and destruction to you! How could you destroy your religion regarding something contrary to the Qur'ān, Sunna and the Muslims' agreement since the rise of Islam to this extent? How could you choose to oppose the Qur'ān, His Messenger and the Sunna, the Companions [*ra*] and all the Muslims? Where does the one you follow mislead you and in which abyss does he throw you? Why don't you abandon this cumulative darkness for the guidance of the religion conveyed by the truthful and trustworthy (*al-ṣādiq al-maṣdūq*) from the Lord of the worlds? The Muslim scholars have all accepted the Companions' (*ra*) virtue and no recognized scholar has ever challenged their consensus, except, of course, the wicked Rāfiḍīs, the disbelieving Bāṭīnīs, Qarmaṭīs and the obstinate heretic (*zindīq*).[223] [299] A delicate matter is still in need of further clarification if there still remains a way to guidance and understanding for you, which the intelligent person will submit to.

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[222]Cf. *al-Fatḥ al-Rabbānī*, vol. 2, pp. 825-77.

[223]The *zindīqs* openly professed Islam but secretly disbelieved and had affiliation to groups such as the Manicheaens (Mānawiyya), Dayṣānites and Marconites (Marqūniyya) who mingled dualistic speculation with Hellenistic ideas. Cf. W. Montgomery Watt, *The Formative period of Islamic Thought* (Oxford: Oneworld Publications, 1998), p. 187.

1.21 The origins of the Bāṭiniyya and their development

Know, when the Islamic *sharīᶜa* appeared and the remaining fire worshippers and the disbelieving and atheistic groups were crushed by the Islamic state and Prophetic religion being unable to defend themselves with swords and spears nor textual evidence against it, they hid their atheism (*ilḥād*) and heresy (*zandaqa*) with deceit the unsuspecting intellect easily accepts and yields to. Outwardly, they aligned themselves to the unblemished *Ahl al-Bayt* falsely displaying their affection and loyalty to them. In reality, however, they were secretly their greatest enemies and fiercest opponents. Furthermore, they began spreading lies about the great knowledgeable and pious scholars of the *Ahl al-Bayt* renowned for their righteousness and matured sensibility. The Rāfiḍa would say: "Imam A (*fulān*) said this or that and imam B (*fulān*) said that" attracting some of the ignorant masses in this way. They proceeded with them using well-known slogans and satanic politics and progressed from one bad stage to another until they reached **[300]** the stage of manifest disbelief (*al-kufr al-bawāḥ*), sheer heresy (*zandaqa*), and clear atheism (*ilḥād*).

Thereafter their state such as Yemen appeared under the rule of ᶜAlī b. al-Faḍl, (d. 303/915) the disbeliever and atheist, whose disbelief exceeded that of the Jews, Christians and pagans. He croaked with atheism (*naᶜaqa bi'l-ilḥād*) on the pulpits of the Muslims in most of the Yemeni lands and changed her into a land of disbelief (*kufriyya*), atheism (*ilḥādiyya*), and belief in the inner mystery (*bāṭiniyya*). Similarly, Manṣūr b. Ḥasan, (303/915), who studied with him under **[301]** Maymūn al-Qaddāḥ, ruled some of the Yemeni lands from an enclosed fortress in the western part of Yemen. Here he spread the Bāṭiniyya belief with the sword like ᶜAlī b. al-Faḍl. Manṣūr, however, was less conspicuous than ᶜAlī b. al-Faḍl in his display of disbelief. Other so-called summoners (*duᶜāt*) succeeded Manṣūr with this accursed mission. Amongst them was the great king

ᶜAlī b. Muḥammad al-Ṣulayhī[224] who ruled most of the Yemeni lands. For some time, she remained under their control, but Almighty Allāh protected the religion and helped the *sharīᶜa*.

In the mountainous region of Yemen, the sons of imam al-Hādī, Yaḥyā b. Ḥusayn (*r*) established a state where they surrounded and killed the Bāṭiniyya in one battle after the other and in one stronghold after the other, until they expelled them from most of the Yemeni lands until Islam regained its way of belief and practice and the religion reclaimed its name. Had Almighty Allāh not protected His religion in this way the Yemeni lands would have become Carmatian and Bāṭiniyya lands. **[302]** The rule of the great imam Ṣalāḥ al-Dīn b. Muḥammad b. ᶜAlī (d. 793/1390) and his son al-Manṣūr ᶜAlī b. Ṣalāḥ (d. 840/1436) followed, which shook and unsettled them. He expelled them from their sanctuaries causing them to flee to the different parts of the world killing them everywhere. After that, only an insignificant number of them survived and remained under the guise of *taqiyya*[225] and a cloak of secrecy, while outwardly displaying Islam. We hope that Almighty Allāh will exterminate the rest of them and remove them with the Muslim armies and determination of faith; this is not difficult for Him.

That was the result of this accursed mission in the Yemeni lands. As for the other lands, Maymūn al-Qaddāḥ sent someone called Abū ᶜAbd Allāh *al-dāᶜī* (the summoner), who was originally from Yemen, to Morocco where he spread the Bāṭiniyya belief. Some of the indigenous people of the Kutāma tribe and other Berbers accepted his call where a great state appeared; **[303]** they could only succeed at this by affiliating themselves to the noble Fāṭimid lineage. Furthermore, they expanded their state founded on atheism capturing Egypt, Syria and the two great mosques [i.e., of Mecca and Medina] several times. They defeated the ᶜAbbāsid Caliphs in many of their territories until the Ṣalāḥī rule, the state of Ṣalāḥ al-Dīn b. Ayyūb[226] (d. 589/1193), destroyed them. The strangest

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[224]ᶜAlī b. Muḥammad al-Ṣulayḥī rose as the Ismāᶜīlī *dāᶜī* in Masār, a mountainous region in Ḥarāz where he constructed fortifications and spread the Ismāᶜīlī *daᶜwa*, cf. Daftary, *The Ismāᶜīlīs*, p. 208.

[225]This means to dissimulate one's true belief under adverse circumstances. Daftary, *The Ismāᶜīlīs*, p. 71.

[226] Ṣālāh al-Dīn Yūsuf b. Ayyūb or Saladin as he is commonly known in the European chronicles of the Crusades was the founder of the Ayyūbī dynasty after he conquered the Fāṭimids of Egypt, cf. Daftary, *The Ismāᶜīlīs*, p. 272.

coincidence was that imam Ṣalāḥ al-Dīn and his son destroyed and removed their state in Yemen, while the Sultan Ṣalāḥ al-Dīn b. Ayyūb did the same in Egypt.[227] This atheistic mission produced the likes of Abū Ṭāhir and Abū Saᶜīd al-Qarmaṭī from the Carmatian dynasty, and others, who butchered the Muslims, violated their honor and repeatedly killed the pilgrims. This is common knowledge to anyone who knows history and world events. **[304]** Their wickedness caused them to enter the holy precincts of Mecca and the Grand Mosque where they massacred the pilgrims and filled it with corpses including the well of *Zamzam*.[228] Their wicked one, the Carmatian [i.e., Abū Ṭāhir], climbed on top of the Holy Kaᶜba[229] and proclaimed:

> If this House was indeed that of our Lord, Allāh
> He would have poured fire on us from above
> Because we performed the pagan pilgrimage [230]
> Without donning the prescribed clothes; there remains no east or west.

He addressed the pilgrims saying: "O you donkeys! You say [in your scripture], '*he who entered the Grand Mosque is safe*'",[231] removed the black stone [i.e., the *ḥajar al-aswad*] and carried it with him to Hajar.[232] Observe the consequences of their accursed mission (*daᶜwa*)! Afterwards, Almighty Allāh removed their evil through the Tartars' army fighting Islam and defeated them [i.e., Carmatians]. That trial became a blessing for the Muslims whereby He destroyed this diabolical group [i.e., *Bāṭiniyya*] and Islam returned to its former state. The kings of the Tartars became Muslim, Islam truimphed, and He warded off the apostates and enemies of Islam. He says: "*They* [i.e., the disbelievers]

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[227]Shawkānī is referring to the agreement in their names, which has dutifulness as one of its meanings.
[228]The *Zamzam* well is situated near the Kaᶜba in the Grand Mosque in Mecca and was caused by Prophet Ismāᶜīl (*as*).
[229]This is the main Islamic sanctuary in Mecca, which the Muslims face in their five daily prayers.
[230]The pilgrimage of the Time of Ignorance (*Jāhiliyya*) differed significantly from that of the one prescribed by Islam. The pagan Arabs would for instance refuse to perform the standing (*wuqūf*) on mount ᶜArafāt and claim they were the custodians of the holy lands and instead performed it on Muzdalifa which is still regarded as part of the holy grounds of Mecca (*ḥaram*). Cf. Akram Ḍiyā' al-ᶜUmarī, *al-Sīra al-nabawiyya al-ṣaḥīḥa*, 2 vols. (Medina: Maktaba ᶜUlūm wa'l-Ḥikam, 1992), vol 1, p. 86.
[231]Cf. *s.* 3 v. 97.
[232]Hajar was the ancient capital of Baḥrayn and seat of the ᶜAbbāsid governer, cf. Daftary, *The Ismāᶜīlīs*, p. 119.

plotted and Allāh plotted. But Allāh is the best of those who plot".[233] He further says: "*They think they deceive Allāh and those who have iman. They deceive no one but themselves…*".[234]

We have cited our stories to you O Rāfiḍī who oppose the Prophet's (*ṣ*) Companions [*ra*] as well as his Sunna and Islam, so you know your predecessors are none other than the Carmatians, Bāṭinīs and Ismāᶜīlīs who have reached such extreme apostasy and scheming against Islam unparalleled by any of the disbelieving sects before them. **[305]** Should you realize your clear error and great deception, and the predecessors you have imitated and followed have reached such extreme disbelief, which the devil himself has not even wished for, perhaps you will awaken from this slumber and unmindfulness and return to Islam to follow its correct guidance and straight path. Should you obstinately refuse and forsake the path of right guidance for that of atheism instead, then your soul should adorn itself with this crime. And your Lord does not wrong anyone at all,[235] and those who wronged themselves will soon know the kind of reversal they will receive.[236] Choose that which pleases you.

1.22 The Rāfiḍa's hostility towards the Companions (*ra*) aims to destroy the Sunna

Know this repulsive *Rafḍ* and wicked innovation has the most revolting legacy and despicable woe. When the Rāfiḍa realized the Qur'ān and Sunna affirms their ruin and destruction in the strongest terms, they opposed and defamed the pure Sunna and its followers after having first slandered the Companions (*ra*). Furthermore, they regarded its adherents the enemies of the *Ahl al-Bayt* and opposers of the Helpers (Shīᶜa). They revoked the entire Prophetic legacy and attached themselves to its counterpart substituting it with blatant lies containing fabricated criticism to defame the Companions' [*ra*] as well as all **[306]** the other narrators of the Sunna who are guided by its guidance, act on its contents and who spread it amongst people, like the Successors [*r*] and their Successors [*r*] to this extent.

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[233] *s.* 3 v. 54.
[234] *s.* 2 v. 9.
[235] Cf. *s.* 18 v. 49.
[236] Cf. *s.* 26 v. 224-7.

The Rāfiḍa called them the people of *naṣb*[237] and those who hate the leader of the believers (*amīr al-mu' minīn*) ᶜAlī b. Abī Ṭālib (*ra*) and his sons-may the Almighty Allāh remove them from His Mercy and belittle them. Do the scholars of the pure Sunna hate this imam while they are unable to count his great virtues coupled with the knowledge of the Prophetic statement in the books of the pure Sunna: "Only the believer loves you, and only the hypocrite hates you"?[238] Another ḥadīth states Almighty Allāh and His Messenger (*ṣ*) love him. O! a continuous distress and excessive ruin to them! Is there anyone among the Muslims or believers like this who have such corrupt belief? All-Perfect are You [O Allāh], this is a great slander.[239] However, the matter is as I have said:

Abominable unmatched by anything else abominable
By the life of your father, that is the religion of the Rawāfiḍ
They spread all the detestable slander about ᶜAlī (*ra*)
While they hid his unquestionable lofty virtues
They indiscriminately insulted the Companions of Ṭāhā
They attacked everyone else besides them
And claimed their religion is the correct one
Does not the Lord curse the insolent liars?

Similarly I have said:

Shīᶜism in the people of our generation
Is restricted to four reprehensible innovations:
[307] Opposing the Sunna, insulting the predecessors
Combining [prayers] and abandoning the Friday congregational prayer. [240]

Similarly, some of our contemporaries have said:

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[237]They are those who oppose ᶜAlī (*ra*) according to the Shīᶜa.
[238]*Muslim*, *Iman*, ch. 33 (ḥadīth 131); *Tirmidhī*, *Manāqib*, ch. 21 (ḥadīth 3717); *Ibn Māja*, (*Muqaddima*), ch. 2 (ḥadīth 114).
[239]Cf. *s.* 24 v. 16.
[240]The first joining refers to the Shīᶜa practice of joining certain obligatory prayer and the second joining

Come to us the Rafḍ brotherhood if you have
A fair religion as the fairness in our religion
Our praise for ᶜAlī exceeded your praise
And you opposed Muḥammad's Companions not us
You claim the truth is what you practice
Does the Most Merciful not curse the one in great error amongst us?[241]

1.23 The practicing ulema's share of sainthood (*wilāya*)

The practicing ulema are included among the *awliyā'* in the Prophetic statement: "…whoever shows hostility to My *walī*". Some of the Salaf have stated regarding them: "If they are not His *awliyā'* He has no *awliyā'*". If He has granted them religious knowledge and the execution thereof, spreading it among people and guiding the worshippers towards the legislative laws for His *umma*, and upholding their duty of commanding the good and forbidding evil then this is a great and honorable status. They are, therefore, declared the heirs to the prophets (*as*) in the ḥadīth traditions.[242] Almighty Allāh has further praised them: "*Allāh will raise in rank those of you who have faith and those who have been given knowledge*".[243]

[308] [The verse] Clarifying their superiority is in different stages shows and declares with the greatest affirmation only the Prophetic stages supersede theirs. Moreover, Almighty Allāh has connected their testimony to His own and that of His angels: "*Allāh bears witness that there is no god but Him, as do the angels and the people of knowledge*".[244] He also states about them: "*Only those of His slaves with knowledge have fear of Allāh*".[245] He has restricted the fear, in the verse, to them which causes their success to the extent that they alone fear Him. Furthermore, He has entrusted them with clarifying the religious matters He has prescribed to the worshippers: "*Allāh made a*

[241]Unknown source.
[242]This refers to the ḥadīth: "The scholars are the heirs of the prophets", cf. *Tirmidhī*, *ᶜIlm*, ch. 19 (ḥadīth 2682); *Abū Dāwūd*, *ᶜIlm*, ch. 1 (ḥadīth 3641), *Ibn Māja*, (*Muqaddima*), ch. 17 (ḥadīth 223).
[243]*s.* 58 v. 11.
[244]*s.* 3 v. 18.
[245]*s.* 35 v. 28. The verse means every time the scholar increases in knowledge about His Grandeur, he fears him more.

covenant with those given the Book: 'You must make it clear to people and not conceal it'".[246] They are thus the trustworthy ones (*umanā'*) with His *sharīʿa* and the interpreters for the worshippers by clarifying its intent (*al-mubayyinūn li-murādih*). From this perspective they act as an intermediary (*al-wāsiṭa*) between Him and the worshippers, because of the Prophetic inheritance He has specified for them.

That is a great rank and grace-filled status unequaled by any other rank or merit. It is, therefore, the duty of every Muslim to admit they are His *awliyā'* and they convey the religion from Him and the Messenger [*ṣ*]. **[309]** They epitomize the Prophets (*as*) by teaching the *sharīʿa* to the worshippers. That is of course, if they were indeed on the sound path, the correct course, they adhere to the Qur'ān and Sunna, follow the Muḥammadī guidance, prefer the content of the Qur'ān and the Sunna over corrupt speculative theology (*ra'y*), and they are devoid of the practice of *taqlīd*.

The scholars who possess these qualities deserve Divine *wilāya* and Merciful excellence; he who opposed them, deserves Almighty Allāh's hostility and punishment as mentioned in the ḥadīth, because he has opposed the *awliyā'* and has therefore exposed himself to His Anger.

1.24 The reasons for the scholars' steadfastness in *wilāya*

It is common knowledge that gaining knowledge from the scholars of this *umma* supersedes all gain, and their benefit extended to others prevails over all good, since they clarify what Almighty Allāh has specified for the worshippers and guide them towards the truth [i.e., the *sharīʿa*] He has commanded. They protect the worshippers from innovations (*al-bidaʿ*) the person, ignorant about these religious rulings, falls into. Moreover, they fight the atheists and innovators opposed to the religion exposing their misguidance to the Muslims and their tenacious clinging to innovation is either because of ignorance or sheer obstinacy, and they lack any religious argument save these doubts (*tashkīkāt*) with which they ensnare and entice the uneducated (*al-muqaṣṣirīn*) towards their corruption.

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[246] *s.* 3 v. 187.

Of the ulema's greatest service towards the religion and the worshippers is they clarify to them the forged and fabricated traditions about the Prophet [*ṣ*] by the [deviant] sects such as the atheists, innovators and heretics (*zanādiqa*), while they guide them towards strict adherence to the reliable traditions. Similarly, they clarify to the Muslims the deviated and obstinate people's (*ahl al-zaygh wa'l-ᶜinād*) interpration of the Qur'ān **[310]** based on their lowly desires which conform to their innovation. The researcher will find them abundantly in their commentaries of the Qur'ān intended as guidance by Almighty Allāh, and as interpreted by the Prophet (*ṣ*), his Companions [*ra*], the Successors [*r*] and the ulema who succeeded them, and according the Arabic language through which it was revealed. Many worshippers have gone astray because of their distortions (*taḥrīfāt*) and tampering with the Qur'ān, manipulating it to conform to their clear corruption and deviation. Similarly, many people have gone astray because of the false ḥadīths the liars and innovators have purposely fabricated.

1.25 The scholars protect the *umma* from *taqlīd*

A considerable number of the uneducated have been deceived by the speculative theology (*ᶜilm al-ra'y*) they have preferred above the Qur'ān of Almighty Allāh and His Messenger's Sunna that He has specified as the measure for any [religious][247] dispute:

> *You who have iman! Obey Allāh and obey the Messenger and those in command among you. If you have a dispute about something, refer it back to Allāh and His Messenger if you have faith in Allāh and the Last Day. That is the best thing to do and gives the best result.*[248]

Referral to Him means referral to the Qur'ān and referral to His Messenger (*ṣ*) means referral to the Sunna after his death by the unanimous consenus of the scholars. Some

[247]The distinction which Islam draws between religious and worldly affairs is highlighted by the ḥadīth of Anas in *Ṣaḥīḥ Muslim*: "That the Prophet (*ṣ*) passed by the people pollinating their date palms and remarked, 'If only you did not do so, it might be good for you. Anas added their harvest was less. The Prophet (*ṣ*) passed by them again and said, 'What happened to your harvest?' They said, 'you advised us'. On this the Prophet (*ṣ*) replied, 'You are more knowledgeable about your worldly affairs'. Cf. *Muslim*, *Faḍā'il*, ch. 38 (ḥadīth 139-41).

[248]*s.* 4 v. 59.

ulema in fact held the view that "*those in command*" refers to the ulema. They include: the learned authority of this nation (*ḥabr al-umma*), **[311]** ᶜAbd Allāh b. ᶜAbbās, Jābir b. ᶜAbd Allāh (d. 73, 77 or 78/692, 696 or 697), al-Ḥasan al-Baṣrī[249] (d. 110/728), Abū 'l-ᶜĀliya (90, 93 or 106/708, 711 or 724), ᶜAṭā b. Abī Rabāḥ (d. 114, 115 or 117/732, 733 or 735), al-Ḍaḥḥāk (d. 105 or 106/723 or 724) **[312]** and Mujāhid (d. 101/102) in one of his opinions as well as Aḥmad b. Ḥanbal in one of his opinions. Abū Hurayra (*ra*), Zayd b. Aslam (d. 136/753), al-Suddī (d. 127/744) and Muqātil (d. 105/723) held the view that they are the political leaders (*al-umarā'*). In another narration Aḥmad b. Ḥanbal held the opinion they are the political leaders. This view has also been reported from Ibn ᶜAbbās (*ra*). Based on the first opinion, the Qur'ānic command is to obey the scholars after having obeyed Almighty Allāh and His Messenger (*ṣ*). According the second opinion it is common knowledge that the political leaders are only shown obedience if they command their subjects based on knowledge. Their obedience is subject to the scholars' obedience because the Prophet (*ṣ*) stated in a reliable ḥadīth, "Obedience is shown only in good acts";[250] the scholars know the good acts. In another reliable ḥadīth he states, "There is no obedience to the creation in the disobedience of the Creator".[251]

[313] The scholars are aware of the difference between obedience and disobedience. Therefore, it is not obligatory to show obedience to the political leaders unless they command their subjects with the scholars' clarification of what is good, not evil; obedience not disobedience. Al-Shāfiᶜī (*r*) says in a reliably report: "The Muslims are unanimously agreed that if the Sunna of the Messenger (*ṣ*) becomes clear to anyone he should not abandon it for the opinion of anyone else".[252] Abū ᶜUmar b. ᶜAbd al-Barr[253] further stated: "The scholars have agreed that the *muqallid* is not counted among the

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[249]al-Ḥasan b. Abī 'l-Ḥasan al-Baṣrī was a pious worshipper, jurist and a reliable ḥadīth narrator and who sometimes narrated ḥadīth from narrators he did not meet, cf. al-ᶜAsqalānī, *Taqrīb*, p. 160 (biography 1227).

[250]*Bukhārī*, *Maghāzī*, ch. 60 (ḥadīth 4340), *Aḥkām*, ch. 4 (ḥadīth 7145), *Akhbār al-Āḥād*, ch. 1 (ḥadīth 7252); *Muslim*, *Imāra*, ch. 8 (ḥadīth 40), *Abū Dāwūd*, *Jihād*, ch. 96 (ḥadīth 2625).

[251]Ibid.

[252]Ibn al-Qayyim, *I'lām al-muwaqqiᶜīn ᶜan Rabb al-ᶜālamīn*, Muḥammad ᶜAbd al-Salām Ibrāhīm (ed.), 4 vols. (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1991), vol. 2, p. 201.

[253]Yūsuf b. ᶜAbd al-Barr was one of the great ḥadīth memorizers and author of the work *Jāmiᶜ bayān al-ᶜilm wa faḍluh*.

scholars".[254] Indeed, knowledge means knowing the truth (*al-ḥaqq*) [i.e., *sharīᶜa*] with its proofs. Therefore, these two cited consensus [of al-Shāfiᶜī and Ibn ᶜAbd al-Barr] excludes the blind fanatical *muqallid* (*al-mutaᶜaṣṣib*), who preferred speculative knowledge above the Qur'ān and Sunna, from the ranks of the scholars.

The four great [Sunnī] imams have all preferred a weak ḥadīth above speculative reasoning as reported from imam Abū Ḥanīfa who preferred the ḥadīth of audible laughing (*al-qahqaha*) during prayer above pure analogical reasoning (*al-qiyās*), whereas the scholars of ḥadīth have unanimously declared it weak. He has also favored the ḥadīth of performing ritual ablution with date-wine (*bi-nabīdh al-tamr*) to analogical reasoning while the ḥadīth scholars classified it as weak. He has further chosen the ḥadīth: "The longest period for menstrual bleeding (*al-ḥayḍ*) is ten days" that is weak by the consensus of the ḥadīth scholars. Similarly, he has preferred "There is no dowry less than ten dirhams", which the ḥadīth scholars have unanimously classified as weak. **[314]** Imam Mālik b. Anas (d. 179/795) has preferred the *mursal*[255] and *munqaṭiᶜ*[256] ḥadīth and the *balāghāt*[257] as well as the Companion's opinion (*qawl al-ṣaḥābī*) above *qiyās*. Al-Shāfiᶜī has preferred the ḥadīth that forbids hunting the game of Wajj[258] above analogical reasoning despite its weakness. [As in the case of Mālik], Imam Aḥmad[259] (d. 241/855) has also preferred a weak and *mursal* ḥadīth as well as the Companion's opinion above analogical reasoning.

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[254]Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm wa faḍluh*, Abū al-Ishbāl al-Zuhayrī (ed.), 2 vols. (Beirut, Dār Ibn al-Jawzī, 2006), p. 234 (hereinafter *Jāmiᶜ bayān al-ᶜilm*).

[255]The *mursal* ḥadīth is a ḥadīth that a Successor has directly attributed to the Prophet (ﷺ) without mentioning the Companion who might have narrated it from the Prophet (ﷺ), cf. Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: The Islamic Texts Society, 1991), p. 79.

[256]A *munqaṭiᶜ* ḥadīth has an interruption in one or more places in its chain with the condition that such interruptions are not successive, cf. al-ᶜAsqalānī, *Nuzha al-naẓar sharḥ Nukhba al-fikar* (n.p.: Maktaba al-Ṭayyiba, 1984), p. 42.

[257]This is a specific ḥadīth term for a ḥadīth in the *Muwaṭṭa* of imam Mālik where there is more than one narrator missing in his report. The same ḥadīth, however, is reported by an uninterrupted chain by the authors of the other ḥadīth works. Cf. *Qaṭru'l-walī, al-sayyid* Yūsuf Aḥmad (ed.), p. 122.

[258]This is a mountain in Ṭā'if, a city a few hundred kilometers from Mecca.

[259]Aḥmad b. Muḥammad b. Ḥanbal al-Baghdādī the founder of the Ḥanbalī *madhhab* and the author of the *Musnad* by his name.

[315] As for the Companions [*ra*], who are the best generation, the Successors [*r*] and their successors they all gave *fatwā* based on reliable textual evidence. In fact, most of them piously refused to do so even though they had the authoritative textual evidence at hand as had been reported about them in the books of ḥadīth and history. Enough for the one who is keen on his religion is Almighty Allāh's statement:

> *Say, 'My Lord has forbidden indecency both open and hidden, and wrong action and tyranny, and associating anything with Allāh for which He has sent down no authority, and say things about Allāh you do not know'.*[260]

He has associated those who fabricate lies about Him with indecency (*al-fawāḥish*), sin (*al-ithm*), unjustified tyranny (*al-baghyi*) and associating partners with Him. The verse serves as a severe censure for the one who has appointed himself a *muftī* or *qāḍī* while being ignorant about the Qur'ān and Sunna. This is something that causes the heart to shake and the skin to quiver. That includes fabricating lies against Him based on ignorance, regardless if it concerned His Names, Qualities, Actions or even His religion and law. Almighty Allāh says:

> *Do not say about what your lying tongues describe: 'This is ḥalāl and this is ḥarām,' inventing lies against Allāh. Those who invent lies against Allāh is not successful-a brief enjoyment, then they will have a painful punishment'.*[261]

He has forbidden the worshippers, in the verse, to lie against Him regarding His laws saying for something lawful: "This is forbidden (*ḥarām*)" and for the unlawful: "This is permissible (*ḥalāl*)". **[316]** He has further clarified to them it is unlawful for the worshipper to declare anything lawful or unlawful unless he knew the ruling with certainty otherwise he has fabricated lies against Him. It is common knowledge the one who uses sheer speculative theology does not know what Almighty Allāh has allowed or

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[260] *s.* 7 v. 33.
[261] *s.* 16 v. 116-7.

forbidden. If he claims that, he has certainly lied against Him and his own soul, which caused him to lie and fall into this major sin. The *muqallid* admits he does not know and understand Almighty Allāh's proofs and what He has prescribed for the worshippers in the Qur'ān and via the Messenger (*ṣ*). In fact, he accepts the scholar's opinion he follows while admitting that he does not know if it is right or wrong.

The following statement of Almighty Allāh is a textual evidence which censures clinging to speculative reasoning and sheer *taqlīd*:

> *Say: 'What do you think about the things Allāh has sent down to you as provision which you have then designated as allowed or forbidden. Say: 'Has Allāh given you authority to do this or are you inventing lies against Allāh'?*[262]

Al-Khaṭīb (d. 363/973) cited imam al-Shāfiᶜī (*r*) in his work *al-Faqīh wa'l-mutafaqqiha* as saying:

> It is unlawful for someone to give *fatwā* in Almighty Allāh's religion unless he has knowledge about the Qur'ān; the abrogating and the abrogated verses, the clear and ambiguous ones, its interpreted and revealed, and the Meccan and Medina chapters. After this, he should have insight into the ḥadīth of the Prophet (*ṣ*); [317] the abrogating and abrogated ones, and his knowledge about the ḥadīth should match that of the Qur'ān. He should further understand the Arabic language, poetry, and whatever else needed of knowledge and the Qur'ān, all which should be used fairly. Besides this, he should know the differences of opinion among the diverse scholars everywhere and possess an innate disposition after this. If he fits this description, he may speak about the permissible

[262] *s.* 10 v. 59.

(*ḥalāl*) and forbidden (*ḥarām*); if he does not, then he should not give *fatwā*.[263]

1.26 The scholarly way is to refer religious issues to the Qur'ān and Sunna

In short, whatever the Qur'ān or Sunna has not prescribed are from the lowly desires of the soul (*min hawā al-anfus*) according the following statement:

> *If they are not responding to you* [i.e., Muḥammad (*ṣ*)] *then know that they are merely following their whims and desires. And who could be further astray than someone who follows his whims and desires without any guidance from Allāh? Allāh does not guide the wrongdoers.*[264]

Almighty Allāh has thus divided the matter [i.e., referral] into two categories, without the possibility of there being a third: either responding to Him and His Messenger (*ṣ*) by following the Qur'ān and Sunna, or following the soul's vain desires (*hawā*). Every matter, therefore, not found in the Qur'ān and Sunna is the result of the soul's evil desires (*fa huwa min hawā al-anfus*) according the verse:

> *David* (*Dāwūd*), *We have made you a vicegerent* (*khalīfa*) *on the earth, so judge between people with truth and do not follow your own desires, letting them misguide you from the way of Allāh. Those who are misguided from the way of Allāh will receive a harsh punishment because they forgot the* [318] *Day of reckoning.*[265]

He has divided judging between people into two categories: judging with the truth textually backed by the Qur'ān and Sunna or with the soul's vain desires (*al-hawā*), which contradicts them. He addressed His Prophet (*ṣ*):

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[263] Aḥmad b. ᶜAlī al-Khaṭīb al-Baghdādī, *al-Faqīh wa'l-mutafaqqiha*, ᶜĀdil b. Yūsuf al-ᶜAzāzī (ed.), 2 vols. (Riyad: Dār Ibn al-Jawzī, 1996), vol. 2, p. 331-2.
[264] *s.* 28 v. 50.
[265] *s.* 38 v. 26.

> *Then we placed you on the right road of Our Command, so follow it. Do not follow the whims and desires of those who do not know. They will not help you in any way against Allāh. The wrongdoers are protectors of one another, but Allāh is the Protector of those who have faith.*[266]
> *Follow what has been sent down to you from your Lord and do not follow any protectors apart from Him. How little you remember!*[267]

The earlier and the later scholars have all agreed the Muslims are obliged to refer all their religious matters to the Qur'ān of Almighty Allāh and His Messenger's Sunna. Whoever has referred his matters to anything other than them has sinned against Almighty Allāh, His Messenger (*ṣ*), the Qur'ān, and the unblemished Sunna. There is no difference between a negligible and a considerable number of issues, because the word *shay'* in the statement "*fa in tanāzaᶜtum fī shay'*"[268] is an indefinite noun used to convey the prerequisite (*nakira fī siyāq al-sharṭ*). It is a form of [Arabic] generalization and thus includes any matter considered a religious matter.

It is compulsory, in times of dispute, to refer the matter back to the specified way of referral contained in his statement: "*Refer it to Allāh and His Messenger*".[269] Furthermore, He says, "*If you have faith in Allāh and the Last Day*".[270] He has thus made [319] this referral essential to faith and its absence, the absence of faith. If there is no referral, there is no faith. He states, "*When Allāh and His Messenger have decided something it is not for any man or woman of the believers to have a choice about it*".[271] He has also informed us that it is improper for any believing man or woman to choose something other than what He and the Messenger (*ṣ*) have ordained. He states: "*You who have faith! do not put yourselves forward in front of Allāh and His Messenger; and have iman in Allāh. Allāh is All-Hearing, All-Knowing*".[272] This statement means, do not

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[266] *s.* 45 v. 18.
[267] *s.* 7 v. 3.
[268] *s.* 4 v. 59.
[269] Ibid.
[270] Ibid.
[271] *s.* 33 v. 36.
[272] *s.* 49 v. 1.

prefer your opinions above that of Almighty Allāh and the Messenger [*ṣ*], but rather echo their view.

It is common knowledge the *muftī's fatwā* based on anything other than the Qur'ān and Sunna or the principles derived from them,[273] means it is an ignorant *fatwā* the Prophet (*ṣ*) cautioned against as documented in the *Ṣaḥīḥayn* and other ḥadīth works:

> Almighty Allāh will not remove the knowledge He has given you by merely taking it away from you, but He will do so by causing the scholars to die. Thereafter, only ignorant people will remain seeking religious verdicts from others who will oblige, based on their opinion; they are astray and cause others to go astray.[274]

The ḥadīth on the authority of ᶜAwf b. Mālik al-Ashjaᶜī states the Prophet (*ṣ*) said:

> My nation will split into seventy-odd sects and the worst among them on Judgment Day will be those who used analogical reason in the religion, thereby forbidding what Almighty Allāh has allowed and allowing what He has forbidden.[275]

Abū ᶜUmar b. ᶜAbd al-Barr commented: "This is *qiyās* lacking any religious basis and giving speculative views in religion **[320]** based on guessing and assumptions".[276]

The distinguished four Caliphs (*khalīfas*) among the Companions [*ra*] and other scholars have censured speculative theology, abhorred the one who use it, and have rejected it as

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[273]The legal theorists have formulated the following principle "cases of necessity allows the forbidden" (*al-ḍarūriyāt tubīḥu al-maḥdhūrāt*) based on Qur'ānic verses such as "*He has only forbidden you carrion, blood and pork and what has been consecrated to other than Allāh, but anyone who is forced to eat it-without desiring it going to excess int-commits no crime. Allāh is ever for giving Most Merciful*" (*s* 2 v. 173), which allows the believer to consume these products in cases of necessity.

[274]*Bukhārī*, ᶜ*Ilm*, ch. 34 (ḥadīth 100*)*, *Iᶜtiṣām*, ch. 7 (ḥadīth 7307); *Muslim*, ᶜ*Ilm*, ch. 5 (ḥadīth 13); *Ibn Māja*, (*Muqaddima*), ch. 8 (ḥadīth 52).

[275]*Ibn Māja*, *Fitan*, ch. 17 (ḥadīth 3992).

[276]Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm*, vol. 2, p. 208.

being part of religion. Al-Hāfiẓ Ibn ᶜAbd al-Barr has collected their statements in his book *al-ᶜIlm*[277] and has recorded what other scholars have not. If private opinion (*ra'y*) contradicted the clear proof texts contained in the Qur'ān and Sunna, or was formulated by guessing and assumptions based on their deficient understanding, or included denying any of Almighty Allāh's Names or Qualities, or caused heretical innovations and changed the clear Prophetic practices, then the scholars unanimously agree it is false and not part of religion. Furthermore, if it was established on the *qiyās* of a proof text contained in the Qur'ān or Sunna but was formulated by baseless methods, which are mere empty guessing and bare assumptions, then it is also false. However, if the analogy was developed with absolute certainty there is no cause to distinguish the case in the text from another case (*nafy al-fāriq*), or the case was established by a meaning far greater than the original verse intent (*faḥwa al-khiṭāb*),[278] or the reason [for its prohibition] was mentioned in the verse (i.e., *al-ᶜilla al-manṣūṣa*),[279] then these cases, even though they are generally considered issues of *qiyās*, in fact fall under the original textual implication (*dalāla al-aṣl*) and was covered by its intent and derived from it. Calling them issues of *qiyās* is a matter of terminology, which I have clarified in my book *Irṣhād al-fuḥūl ilā taḥqīq al-ḥaqq min ᶜilm al-uṣūl* (Guidance for the Luminaries to Achieving the Truth in the Principles of Law).

[321] 1.27 The ruling of *taqlīd* and the *muqallid*

If you are aware of the proof texts which censure speculative theology and fabricating statements against Almighty Allāh you should also be aware that *taqlīd*, as we have explained earlier, means accepting a scholar's legal opinion without any textual evidence (*qabūl ra'y al-ghayr dūna riwāyatih*). The *muqallid* is classified as such in the terminology of the legal theorists and authors of legal manuals (*ahl al-uṣūl wa'l- furūᶜ*) when he practices *taqlīd* of a particular scholar's opinion. As for him taking the scholar's legal proof (*al-riwāya*) from the Qur'ān and Sunna for the ruling then this is not

[277]This refers to Ibn ᶜAbd al-Barr's work *Jāmiᶜ bayān al-ᶜilm wa faḍluh*.

[278]The Qur'ān forbids any believer to say as much as "fie" (*uff*) to his parents. Therefore, analogical reasoning will decide that physical abuse to them is also forbidden.

[279]An example where the effective cause (*ᶜilla*) is mentioned in the textual evidence is the following ḥadīth: "Every intoxicant is *khamr* (wine) and every *khamr* is forbidden", which specifies intoxication as the *ᶜilla*.

considered *taqlīd* at all. If [the reality of] *taqlīd* is what we have explained it is blameworthy for two reasons: first, because it means the *muqallid* has acted on speculative knowledge; we have already mentioned the textual evidences censuring it, and the impermissibility of accepting it. Second, because it means he has acted on it through ignorance, since he has blindly imitated the partisan who held the view despite not knowing if he was right or wrong. This is considering the protagonists of speculative knowledge have formulated certain rules; he who conformed to them is right, and he who did not, is wrong. All of this is darkness above pitch-black darkness.

The Qur'ānic proofs came to censure *taqlīd* of the ancestors. Almighty Allāh says:

> *When they are told 'Follow what Allāh has sent down to you,' They say, 'We are following what we found our fathers doing.' What, even though their fathers did not understand a thing and were not guided!*[280]
>
> *Similarly, we never sent any warner before you to any city without the affluent among them saying, 'We found our fathers following a religion and we are simply following in their footsteps.' Say, 'what if I have come with better guidance than what you have found your fathers following'?*[281]
>
> [322] *When they are told 'Follow what Allāh has sent down,' they say, 'No, we will follow what we found our fathers doing.*[282]

The Qur'ān contains many such verses and even though they were originally revealed regarding the disbelievers, they rebuke whoever turned away from Almighty Allāh's revelation and accepted his predecessors' doctrines. The intent of the verses is more general than the reason for its revelation and should be given due consideration according to legal theory.[283] Therefore, whoever has turned away from His legislation and preferred the predecessors' way instead, falls under the general intent of the verse. Another verse

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[280] *s.* 2 v. 170.
[281] *s.* 43 v. 23-4.
[282] *s.* 31 v. 21.
[283] This is with reference to the legal theory, 'the generality of the words is considered, not its specific reason for revelation' (*al-ʿibra bi-ʿumūm al- lafẓ lā bi-khuṣūṣ al-sabab*).

censuring *taqlīd* is His statement: "*Do not pursue what you have no knowledge of*".[284] And the *muqallid* has followed what he has no knowledge of.

Almighty Allāh further states: "*Follow what has been sent down to you from your Lord and do not follow any protectors apart from Him*".[285] The *muqallid* does not know what He has revealed so he may follow it. To the contrary, he has followed speculative theology He has not revealed and blindly followed someone else besides Him. He has thus followed other protectors (*awliyā'*). Furthermore, the *muqallid* has no knowledge and if he accepts the scholar's opinion he blindly imitates, this will also constitute fabricating lies against Almighty Allāh about what He has not revealed and making a referral to other than Him and the Messenger (*ṣ*). He says:

> *Say, 'My Lord has forbidden indecency both open and hidden, and wrong action and tyranny, and associating anything with Allāh for which He has sent down no authority, and say things about Allāh you do not know'.*[286]

[323] He further says, "*If you have a dispute about anything refer it back to Allāh and the Messenger*".[287] We have earlier established the meaning of these two verses. In another verse He states: "*And they will say, 'Our Lord we obeyed our masters and great men and they misguided us from the way*'".[288] Abū ᶜUmar b. ᶜAbd al-Barr said:

> Almighty Allāh has criticized *taqlīd* in many places in the Qur'ān stating, '*They* [i.e., the Jews and Christians] *have taken their rabbis and monks as lords besides Allāh…*'[289] It is reported from Ḥudhayfa (d. 36/656) and some of the other Companions [*ra*] that they did not worship the monks and rabbis besides Him, but they [i.e., the monks and rabbis] allowed and forbade their followers certain matters so they followed them. ᶜAdī b.

[284] *s.* 17 v. 36.
[285] *s.* 7 v. 3.
[286] *s.* 7 v. 33.
[287] *s.* 4 v. 59.
[288] *s.* 33 v. 67.
[289] *s.* 9 v. 31.

Ḥātim (d. 68/687) said, 'O Messenger of Allāh (ṣ) we did not take them as our lords, to which the Prophet (ṣ) replied, 'It is indeed so, did they not allow certain matters for you He forbade and you regarded them lawful? Did they not forbid you certain matters He has permitted and you considered them unlawful? I [i.e., ᶜAdī b. Ḥātim] replied, 'Indeed'. The Prophet (ṣ) replied, **[324]** 'That was your worship to them''.[290] The ḥadīth was documented by Aḥmad and al-Tirmidhī.[291] Ibn ᶜAbd al-Barr continued, and about those [i.e., the Jews and Christians] and others like them He states:

When those who were followed disown those who followed them, and they see the punishment, and the connection between them is cut, those who followed will say, 'If only we could have another chance we would disown them just as they have disowned us.' In that way, Allāh will show them their actions as a cause of anguish and remorse for them.[292]

'*What are these statues you are clinging to?' they said, 'We found our fathers worshipping them.*[293]

We obeyed our masters and great men and they misguided us from the way.[294]

There are many similar verses in the Qur'ān censuring *taqlīd* the scholars have used to prove its unlawfulness. The disbelievers' unbelief did not prevent the ulema from using these verses against them, since the Qur'ānic warning does not distinguish between the disbelief of some and the belief of others. It distinguishes between the different types of *muqallids* without textual proof they can attribute to the scholar they have imitated such as one of them following someone who rejected faith, or another following someone who committed sin, or yet another following a scholar who faltered in an issue. Each one of them will be blameworthy of practicing

[290]Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm*, vol. 2, p. 158-9.
[291] *Tirmidhī*, *Tafsīr*, *surah al-Tawba*, ch. 9 (ḥadīth 3095).
[292] *s.* 2 v. 166-7.
[293] *s.* 21 v. 52.
[294] *s.* 33 v. 67.

> *taqlīd* lacking textual evidence, as each *taqlīd* resembles the other, even though they may differ in the extent of sin. Almighty Allāh states, "*Allāh would never misguide a people after guiding them until He had made it clear to them how to have fear*".[295]

Ibn ᶜAbd al-Barr stated:

> If our citations exposed the fallacy of *taqlīd* it becomes compulsory to accept the **[325]** sources, which are the Qur'ān and Sunna and what resembles them [in legality] confirmed by a collective proof (*wa mā kāna fī-maᶜnāhumā bi-dalīl jāmiᶜ*).[296]

Ibn ᶜAbd al-Barr continues, ᶜAlī (*ra*) said:

> Beware of imitating men [i.e., scholars], because one of them will perform the deeds of the people destined for paradise then his condition will change, because of Almighty Allāh's knowledge about that, and he will perform the deeds of the people destined for the Hellfire causing him to die as one of the people destined for the Hellfire. Another among them will perform the deeds of the people destined for the Hellfire and his condition will change, because of Almighty Allāh's knowledge about that, then he will perform the deeds of the people destined for paradise causing him to die as one of the people destined for paradise.[297]

He [i.e., Ibn ᶜAbd al-Barr], cited Ibn Masᶜūd who stated: "No one should blindly follow anyone in his religion, if he believes, he believes and if he disbelieves, he also disbelieves, because there is no good example in evil".[298] He continued: "All these

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[295]Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm*, vol. 2, p. 160; ch. 9 v. 115. Ibn ᶜAbd al-Barr refers to *ijmāᶜ* and *qiyās.*
[296]Ibid., p. 161.
[297]Ibid., p. 168.
[298]Ibid., p. 168.

statements negate and annul *taqlīd* for whoever understood and was rightly guided by them.[299]

1.28 *Taqlīd* and knowledge

Ibn ᶜAbd al-Barr cited the scholars who stated, "The definition of knowledge is to discern and perceive the known. Whenever something becomes clear to someone, he knows it".[300] The scholars have further unanimously stated, "The *muqallid* has no knowledge".[301] He continues:

> The protagonist of *taqlīd* should be asked, 'Why do you advocate it and contradict the Salaf, because they have never blindly imitated anyone?' Should he reply, 'I practice *taqlīd* because I am ignorant about the interpretation of Almighty Allāh's Qur'ān and I cannot recount His Messenger's (*ṣ*) Sunna, the scholar I follow is knowledgeable about them, therefore, I follow the scholar more knowledgeable than me', [326] he should be answered, 'When the scholars have agreed on interpreting the Qur'ān, recounting the Sunna or unanimously agreed about something, there should be no doubt about the matter, but the scholars you are blindly imitating have disagreed in certain religious issues. What is your textual evidence for restricting yourself to one scholar among them? They are all scholars and perhaps the scholar whose doctrine you have ignored was more knowledgeable than the one whose doctrine you chose to follow'.
>
> Should he answer, 'I follow him because I know he is correct', he should be asked, 'Did you know that based on a textual proof from the Qur'ān, Sunna or the consensus (*ijmāᶜ*) of the scholars?' Should he reply yes, he will have disproved his own *taqlīd* and should be demanded to furnish the proof for his claim. However, should he answer, 'I follow him because he is more knowledgeable than me', he should then be told, 'So, follow every

[299]Ibid., p. 169.
[300]Ibid, p. 173.
[301]Ibid.

> scholar more knowledgeable than him, because you will find many more capable scholars like him. This is not particular to the scholar you have chosen to follow'.[302]

Ibn ᶜAbd al-Barr continues after a further citation:

> Is it permissible for such a scholar to pass a verdict in the laws of Almighty Allāh's religion causing people to legitimize the private parts of women, shedding the blood of others, enslaving people, removing property and giving it to other than their rightful owners with a doubtful opinion for which there exists no textual evidence? Furthermore, he admits his imam is sometimes right and other times not, and the scholar who opposed his imam in the issue could perhaps be right. If the *muqallid* considered it correct for someone to pass a *fatwā* who does not know its origin or meaning, but merely because he has memorized the secondary religious issues (*furūᶜ*) [of the *madhhab*], he would have to allow this for the masses as well. Enough is this blind imitation as ignorance and rejecting the Qur'ān. Almighty Allāh says: "*Do not pursue what you have no knowledge of*".[303] He also says: "*Do you say things about Allāh you do not know*"?[304] The scholars have unanimously agreed whatever is unclear or uncertain does not qualify as knowledge, but is only guessing, and guessing is of no use against the truth.

[327] Furthermore, Ibn ᶜAbd al-Barr states: "There is no dispute among the scholars about the fallacy of *taqlīd*". He then clarified the *muqallid* is not regarded a scholar by the unanimous agreement of the scholars.[305]

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[302]Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm*, vol. 2, p. 174. For Shawkānī's critique of *taqlīd* refer to his essay on the subject titled *al-Qawl al-mufīd fī ḥukm al-taqlīd* in *al-Fatḥ al-Rabbānī*, vol. 5. Also see Ibn al-Qayyim al-Jawziyya, *Iᶜlām al-muwaqqiᶜīn*, vol. 2, pp. 129-210.
[303]*s.* 17 v. 36.
[304]*s.* 7 v. 28.
[305]Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm*, vol. 2, p. 175.

1.29 The ulema's position toward the *muqallids*

In our essay titled, *Al-Qawl al-Mufīd fī ḥukm al-taqlīd*, we have mentioned the statements of the four imams forbidding the scholars of their *madhhabs* to follow them, some which we will now mention here. Al-Muzanī[306] (d. 264/877) stated in the beginning of his *Mukhtaṣar* (abridgement): 'I have summarized this from al-Shāfiᶜī's knowledge [i.e., work] and from the meaning of his statement and I will convey it to anyone who wants to hear it informing him about al-Shāfiᶜī forbidding the scholars to follow him as well as the other imams [stating]: 'Let him consider my opinion for his religion and safeguard himself''.[307] Ibn al-Qayyim[308] (d. 751/1350) recounted Aḥmad b. Ḥanbal saying: Do not follow me, **[328]** Mālik, Thawrī nor al-Awzāᶜī, but take [your religion] from where they took theirs [i.e., the Qur'ān and Sunna]'.[309] Aḥmad also said: 'Something that shows the scholar's lack of knowledge is when he blindly imitates other scholars in the religion'.[310] Bishr b. al-Walīd (d. 238/852) recounted from Abū Yūsuf al-Qāḍī (d. 238/852), the partisan of Abū Ḥanīfa, who cited him: 'It is unlawful for someone to uphold our doctrine unless he knows where we took it from'.[311] **[329]** Similarly, imam Abū Ḥanīfa said, and it is also reliably reported from al-Shāfiᶜī: 'The scholars are unanimously agreed if a Sunna of the Prophet (*ṣ*) becomes clear to anyone he should not leave it for the saying of anyone else'.[312] It is also reported via the *tawātur* transmissions that al-Shāfiᶜī said: 'If the ḥadīth is proven reliably then discard my opinion'.[313]

Jaᶜfar al-Firyābī (d. 301/913) recounted Mālik as saying: 'He who rejected the opinion of ᶜUmar b. al-Khaṭṭāb in favor of Ibrāhīm al-Nakhaᶜī[314] (d. 96/714) should be asked to repent'. Mālik was told, 'This is only a narration of ᶜUmar', to which he replied, 'He

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[306]Ismāᶜīl b. Yaḥyā b. ᶜAmr al-Muzanī al-Miṣrī was the companion of al-Shāfiᶜī and narrated ḥadīth from him.
[307]*al-Qawl al-mufīd*, p. 2206.
[308]Muḥammad b. Abī Bakr b. Ayyūb (Ibn al-Qayyim) was the prominent student of Ibn Taymiyya.
[309]Cf. *al-Qawl al-mufīd*, p. 2191; Ibn al-Qayyim, *Iᶜlām al-muwaqqiᶜīn*, vol. 2, p. 139.
[310]*al-Qawl al-mufīd*, p. 2191.
[311]*al-Qawl al-mufīd*, p. 2191.
[312]Ibn al-Qayyim, *Iᶜlām al-muwaqqiᶜīn*, vol. 4, p. 179.
[313]Ibid., p. 2202.
[314]Ibrāhīm b. Yazīd b. Qays al-Nakhaᶜī was one of the great Successors (*r*) and a reliable narrator (*thiqa*), cf. Muḥammad b. Aḥmad al-Dhahabī, *Siyar aᶜlām al-nubalā'*, Shuᶜayb al-Arna'ūṭ (ed.) (Beirut: Mu'assasa al-Risāla, 1413), vol. 4, p. 520.

should be asked to repent''.[315] If this was his view regarding someone rejecting ᶜUmar's [*ra*] opinion, what would have been his view regarding the *muqallid* who rejects the Qur'ān and Sunna and prefers one of the scholars' opinions above them? In short, there are many statements of the pious Salaf among the Companions [*ra*] and Successors [*r*] and those after them forbidding the scholars to act on speculative theology and practicing *taqlīd* of the scholars in Almighty Allāh's religion, which the scope of this work does not allow. Some of the Qur'ān's verses, we have mentioned earlier, will suffice for the one who believes in Almighty Allāh and the Last Day.

1.30 The *muqallid's* contradiction

Should the *muqallid* claim he has textual evidence supporting the practice of *taqlīd*, we reply to him: "You as well as the scholars testify **[330]** that you do not understand textual proof. You merely take the opinion of someone else without his textual proof (*dūna riwāyatih*), so what is it with you and textual evidence? Having given yourself an admittedly unworthy status, you are like someone who feigns saturation with something he does not own, like someone wearing two garments of lies".[316]

"If indeed you understood Almighty Allāh's textual evidences and proofs, why, when we cite them from the Qur'ān and Sunna, which invalidate your practices, you shamelessly turn to the safety of *taqlīd* and claim you do not understand textual proof nor are you addressed by it. Why do you give one step forward in the religion of Almighty Allāh [by claiming you have textual evidence in support of *taqlīd*] and then give another backwards [by resorting to *taqlīd*]? Rely on any of your two claims until you are addressed by the same address of the one's place you have assumed. You will then see the light of day and realize you are clinging to a phantom rope and you were afflicted by diabolical lies.

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[315]Ibn al-Qayyim, *Iᶜlām al-muwaqqiᶜīn*, vol. 2, p. 140.

[316]Cf. *Bukhārī*, *Nikāḥ*, ch. 107 (ḥadīth 5219), *Muslim*, *Libās*, ch. (ḥadīṭh 2129), *Abū Dāwūd*, *Adab*, ch. 91 (ḥadīṭh 4997). The ḥadīth was reported regarding a woman who asked the Prophet (*ṣ*) if she could could tell her husband's other wife that he has given her such and such whereas in fact he did not do so. The Prophet (*ṣ*) then replied: "The one who boasts of that which he has not received, is like he who wears two garments of lies".

Besides, the imam you have blindly imitated, at the expense of all other *mujtahids*, clearly instructed you not to follow him; yet you did so despite his instruction. Furthermore, tell us, what motivated you to follow this particular imam among all the ulema, including those among the Companions [*ra*] and Successors [*r*]?"

Should you reply that you follow him because he is the most knowledgeable of the scholars, then what conveys to you-may the Almighty Allāh remedy you-the distinction between what is knowledge and greater knowledge, since you confess you have neither? All the scholars have agreed you are not reckoned among the scholars and you do not belong to their fraternity. Furthermore, the scholars among the Companions [*ra*] and their Successors [*r*] are more knowledgeable than your imam. How could you choose your imam above all of them? **[331]** Tell us if any Muslim during the time of the Companions [*ra*] and their Successors [*r*] followed a particular individual or a group among them? In fact, the innovation of *taqlīd* only surfaced during the fourth century after the Prophetic migration (*Hijra*) when neither a Companion [*ra*] nor Successor [*r*] was alive. Other scholars have contradicted the imam you have blindly imitated, and have disagreed with his views. Tell us how you know he is right and not the scholar who disagreed with him? You admit you neither know the correct opinion nor which of the opposing scholars are correct, while the other *muqallids* like you [following their *madhhab*] have the same belief about their imam. Who is correct between you the *muqallids*, and which of your imams is correct regarding the religious issue?

Should you both say: "We do not know", then why have you raised yourselves to the position of those scholars who use Almighty Allāh's textual evidences while you do not know and understand them by your own admission? Should you both claim you have understood the textual proof regarding the permissibility of *taqlīd* then He has opened a door (*khawkha*) from this blindness and eased the way to understanding the matter for you. Come to us, so we can show you the reprehensible *taqlīd* to which you are clinging in His religion and how you have acted on erroneous speculative theology that opposes the textual proofs. Because, if your claim is true and you do not disagree the Qur'ān and Sunna should be preferred over your imam's opinion, then the medicine has succeeded

and you are close to recovering from the sickness which has befallen you. Furthermore, we say to this miserable *muqallid*, we as well as you know-if you have any intelligence and understanding left-the scholars among the **[332]** Companions [*ra*], Successors [*r*] and those after them, even the contemporary ones you have blindly imitated and those after them, despite their authorization of certain religious issues they were unsure about, they chose them for personal use. This is similar to you doing so with your imam, which is something the intelligent Muslims know.

Why have you restricted yourself to one particular scholar and followed him in your religion regarding all his opinions whether they were right or wrong? Should you reply: "I do not know", we reply, "Indeed you do not know". We know your reality, because you were born in a place where the locals followed a particular scholar from among the ulema of Islam, and you embraced his doctrine and echoed his opinions. You are one of those who will reply to the two angels[317] when they question you in your grave: "I heard people saying something so I repeated it after them".[318] The angels will reply, "You do not know [because you did not read your scripture]".[319] If you had any intelligence and understanding, it would have been far better when you accepted the imam's opinions you have blindly imitated, to add to that his statement that it is not permissible for anyone to follow him. Why have you abandoned this statement of his?

Furthermore, realize that you will be held responsible on the Day of Judgment about Almighty Allāh's religion He has revealed in His Qur'ān and sent His noble Prophet [*ṣ*] with. Consider, how will you respond and what will you answer? Should you answer, "I took the opinion of a particular imam" then realize he will be with you on the plain of Judgment answerable about the same matters you will be questioned about and having worshipped Him the same as you. Should you answer instead, "I followed a certain imam and took his opinion I, therefore, worshipped Him with what He has prescribed for me and I gave *fatwā* according to this imam's views. I gave judgment based on his opinion

[317]Their names are given as al-Munkar and al-Nakīr. Cf. *Tirmidhī*, *Janā'iz*, ch. 71 (ḥadīth 1071).
[318]Cf. *Abū Dāwūd*, *Sunna*, ch. 27 (ḥadīth 4750). Shawkānī does not use this ḥadīth to classify the *muqallids* as hypocrites, but merely tries to show that they have *taqlīd* in common.
[319]Ibid.

so in this way I have made sexual adultery and fornication permissible, I caused the shedding of blood [in capital punishment] and I divided peoples' money." If you should be asked: "Did you do so justly or unjustly" how will you respond? Should you answer you did so by the opinion of a particular imam, then by necessity you should be asked **[333]** if you knew whether his opinion conformed to and agreed with what Almighty Allāh has prescribed for His worshippers in the Qur'ān and His Messenger's [ṣ] Sunna. By necessity you should answer [based on your own reckless argument]: "I do not know". Indeed you do not know because you did not read.

Then, when you are asked on the plains of Judgment (*ᶜaraṣāt al-qiyāma*), "What textual evidence did you have to solely follow this particular imam; to act on all his opinions, preferring his view over everyone else's, even above the Qur'ān and Sunna, what shall you answer? Did I send him as a prophet for My worshippers after the Messenger Muḥammad b. ᶜAbd Allāh or did I command them to show obedience to him as I have commanded them to follow My Messenger?" Consider, what are you going to say? Indeed this question will need to be asked, because He has sent only one Prophet and one Qur'ān to the worshippers, and the entire Islamic *umma* from beginning to end worship with the laws He has legislated for them. Among those who have worshipped with this *sharīᶜa* was the Prophet (*ṣ*), so what about your imam who is only an individual in this world and one among humanity? Glory be to You [O Allāh], this is a terrible slander![320]

1.31 The method of the Companions [*ra*] and the Successors [*r*]

Then you miserable person look at another matter! The best generations of the Companions [*ra*] and the Successors [*r*] have ended before these *madhhabs* came into existence. It is a known fact, for he who has understanding, that the the Salaf acted on the Qur'ān and Sunna. The less learned among the Companions [*ra*] would ask the learned ones about a ruling they would encounter in their worship or transactions who would in turn answer them based on the Qur'ān and Sunna and cite the textual evidence contained in these two sources regarding the issue. You admit they were guided and correct. Now

[320]Cf. *s.* 24 v. 16.

look at the condition of those who practice *taqlīd* and contradicted the Salaf's practice. Put yourself wherever you wish and choose whatever pleases you.

Should you retort: "My imam followed their example", we respond: "Has any other imam shared this with him or not?" If you answer yes, we ask you: "What caused you to solely accept one scholar's opinion **[334]** whereas your imam has forbidden you to follow him?"

The *muqallid* should further be asked: "If one of the Islamic scholars should state the imam you have blindly followed in a certain religious issue has contradicted the Qur'ān of the Almighty Allāh or a ḥadīth contained in His Messenger's [*ﷺ*] Sunna or a practice of the Companions [*ra*] and Successors [*r*], will you abandon your imam's opinion or not?"

Should you answer yes you are guided and we do not demand more than this from you. So, look at the textual evidence of your great contemporary scholars regarding the issue in which you have blindly followed your imam, and ask them about it and about the truth that conforms to the Qur'ān and Sunna. Act on their opinion [which is textually supported] and guidance and ask only the scholars who are known for their knowledge about the Book and Sunna.

If you should reply no then realize your stance and the [grave] matter you have fallen into, and admit you have preferred the imam's opinion over the Qur'ān of the Almighty Allāh and His Messenger's [*ﷺ*] Sunna. After this, reflect with your intelligence whether He has commanded you to follow this scholar and to accept all his opinions. The least you should do is to ask the contemporary ulema about the specific religious issue, and with that the door of all good and the way to guidance will open for you.

To the contrary, should you refuse to do so then realize you have caused your imam to abrogate Muḥammad's [*ﷺ*] *sharī'a*. There can be no greater misguidance after this. If you are fair, you will acknowledge and not try to reject it. Should you reject it then tell us when have you ever preferred a textual evidence from the Qur'ān and Sunna over that

[335] of your imam's opinions? When have you consulted the ulema of the Qur'ān and Sunna about an issue, preferred their *fatwā* and the textual evidence which they cited?

Should you reply you neither know nor understand textual proof nor do you know whether your imam or the scholar who contradicts him was right, we say, tell us, with your inability to perform *ijtihād* and ignorance, are you incapable of what the Companions [*ra*] and Successors [*r*] did? Indeed, some of them shared your condition. If you should [stubbornly] ask: "What did they do when they needed to carry out a worship or transaction", we reply, they used to ask the renowned ulema about the *sharīʿa* ruling regarding the specific issue. They would ask them to cite the textual evidence, which they would do. Imitate them and do what they did! If you should audaciously reply you are incapable of doing what they did then Almighty Allāh has not granted you to do so. You will see the bad result of your actions and its bad end. And your Lord does not wrong anyone.[321]

1.32 The *muqallid's* attitude towards following the Companions (*ra*)

Some incapable *muqallids* have used the ḥadīth "My Companions are like the stars you will be guided by whoever you have followed amongst them"[322] to prove the permissibility of *taqlīd*.

The ḥadīth has not been reliably reported from the Prophet (*ṣ*) according the people of this science [i.e., ḥadīth scholars], because they have unanimously declared it unreliable. However, should we concede its reliability then the meaning is clear and evident the Companions [*ra*] should be imitated in their practice of the *sharīʿa* they received from the Prophet (*ṣ*). Whoever followed [336] anyone of them in what he recounted from the Prophet (*ṣ*) was rightly guided and entered the *sharīʿa* from the correct entrance. This does not mean following the Companions' [*ra*] private opinion (*raʾy*), because they never held an opinion contrary to the *sharīʿa* they had received.

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[321]Cf. *s.* 18 v. 49.

[322]Cf. Muḥammad Nāṣir al-Dīn al-Albānī, *Silsila al-ahādīth al-ḍaʿīfa waʾl-mawḍūʿa wa atharuhā al-sayyiʾ fīʾl-umma*, 4 vols. (Riyad: Maktaba al-Maʿārif, 1992), vol. 1, pp. 149-52.

1.33 The scholar's opinion in the absence of textual proof is a concession to him alone

Even if this [unreliable] ḥadīth should be considered a textual evidence to follow their correct private opinion (*ra'y*), which originated from the Qur'ān and Sunna through correct *qiyās* or something similar to that, this would be specific to them because of the great excellence they enjoy over everyone else. Furthermore, the scholars of Islam have reached a consensus that the scholar's opinion, in the absence of textual proof, is a concession to him alone and it is forbidden for anyone else to act on it as we have competently clarified and reliably recounted the issue in our works. After this minor misfortune we say to the person using this weak ḥadīth, granted it is reliable, did you follow a Companion [*ra*] or someone else? It is here that he is unable to answer.

Similarly, if one of them should use the following ḥadīth as a proof: "Follow my Sunna and the Sunna of the rightly guided Caliphs after me",[323] it would mean following the rightly guided Caliphs (*al-khulafā' al-rāshidūn*) in their speech, action, worship, and transactions. They only performed them the way they had received them from the Prophet, (*ṣ*) which they they knew from his speech and actions. That was their habit and practice, which they would not abandon nor contradict in the least insignificant matter. **[337]** This is the ḥadīth's meaning despite the weakness in its chain regarding the narrator *mawlā* al-Rubaᶜī, who is unknown narrator (*majhūl*)[324] and Mufaḍḍal al-Ḍabbī who is an unreliable authority (*laysa bi-ḥujja*).[325]

Then after another minor misfortune we say to the person using this ḥadīth: "Have you followed the rightly guided Caliphs or other scholars?" Through necessity he has to admit having followed someone else and being the most distant from the Caliphs' (*ra*) guidance.[326] Furthermore, should a voluminous work of the Caliphs' guidance [i.e.,

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[323] *Tirmidhī*, *ᶜIlm*, ch. 16 (ḥadīth 2676); *Abū Dāwūd*, *Sunna*, ch. 6 (hadīṯ 4607); *Ibn Māja*, (*Muqaddima*), ch. 6 (ḥadīth 42).

[324] A narrator is classified as *majhūl al-ᶜayn* by the ḥadīth critics when a sole narrator has narrated from him and none of the critics have verified his reliability. A narrator is classified as *majhūl al-ḥāl* when two or more narrators have narrated from him, but the ḥadīth critics have not verified his reliability.

[325] Ḥadīth terminology such as this is used in the science of ḥadīth criticism (*jarḥ wa taᶜdīl*) to criticize a narrator thereby showing his unreliability.

[326] Shawkānī is alluding to the sophistry of the *muqallid's* who sometimes use a textual evidence that gives a particular meaning, such as specifying the rightly guided caliphs and then using it as a proof for their own imams. In his other works such as *Wabl al-ghamām* he refers to the *muqallid* who uses a particular

fatwā's] reach him, which contradict the most insignificant issue of the imam he has blindly followed, he would reject and dismiss it without due consideration.[327]

Moreover, if the ḥadīth is reliable then it guides to the Sunna of the Prophet (*ṣ*) and that of the rightly guided Caliphs (*ra*). It is a known fact that neither the rightly guided Caliphs nor the other Companions (*ra*) would contradict any matter reliably confirmed by the Prophet's [*ṣ*] Sunna. Rather, they followed his Sunna and never had a sunna contrary to his. None of them have ever been known, in his entire life, of intentionally trying to contradict one of his confirmed practices (Sunna).

[338] 1.34 The correct method of *ijtihād* is the Prophet (*ṣ*) and the Companions' (*ra*) way

If you have understood this, then we have cited many Qur'ānic verses and reliable ḥadīth to show the correct way and the clear path of the *sharīᶜa* (*manhaj al-ḥaqq wa mahyaᶜ al-sharᶜ*), which is the Messenger's (*ṣ*) way and that of the rightly guided Caliphs of performing *ijtihād*. Their way has established the evidence against every Muslim as well as the reliable Prophetic (*ṣ*) statement: "Every matter which is not of our command is rejected", which has been unanimously accepted by the Muslims.

Any intelligent person with the most insignificant affiliation to the unblemished *sharīᶜa* knows without any doubt or delusion the Prophet (*ṣ*) never commanded the practice of *taqlīd*. This innovation surfaced after his era and that of the Companions [*ra*] and the Successors [*r*].[328] Therefore, the one who practices it will have it rejected. We know the Prophet (*ṣ*) instructed his followers to act on the Qur'ān of Almighty Allāh, then on his

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textual proof such as one of the actions of the Prophet (*ṣ*) (*fᶜl al-Nabī*) and then insisting on its validity as a textual proof. When his opponent, however, resorts to an action of the Prophet (*ṣ*) to argue his case, the *muqallid* rejects this and suddenly claims that it is only an action and therefore one cannot deduce whether the Prophet (*ṣ*) did this as a religious act or not. Cf. Shawkānī, *Wabl al-ghamām*, vol. 1, p. 142.

[327]The legal opinions of Abū Bakr (*ra*) have been published, but his opinions in itself does not carry much weight in the legal discourse of the different *madhhabs*.

[328]Further proof of *taqlīd* being an innovation is that the vast majority of Muslims believe that ᶜĪsā (*as*) will return to this world towards the end of time. The logical question would therefore be if these *madhhabs* still exist, will he follow one of them or the Qur'ān and Sunna? If he does follow the Qur'ān and Sunna, then it will only be logical to conclude that every believer besides him should do the same.

Sunna he has clarified to people by His Command: "*It is nothing but revelation revealed* ".[329] He says:

> *Whatever the messenger gives you you should accept.*[330]
>
> *…Obey Allāh and obey the Messenger.*[331]
>
> *Say, If you love Allāh, then follow me and Allāh will love you and forgive you.*[332]

[339] *You have an excellent model in the messenger of Allāh.*[333]

> *…If you have a dispute about something refer it back to Allāh and His Messenger.*[334]
>
> *The reply of the believers when they are summoned to Allāh and His Messenger so that He can judge between them, is to say, 'We hear and we obey'.*[335]
>
> *No, by your Lord, they are not believers until they make you their judge in the disputes that break out between them, and then find no resistance within themselves to what you decide and submit themselves completely.*[336]

We have earlier discussed some of these noble verses. And from the Prophetic (*ṣ*) Sunna is the following ḥadīth wherein he states: "Cling to my way (Sunna) and the way (Sunna) of the rightly guided Caliphs"[337] and "Every innovation is an error".[338] *Taqlīd* is an innovation and no one opposes or doubts it. O *muqallid*, remove yourself from sin, flee

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[329] *s.* 53 v. 4
[330] *s.* 59 v. 7.
[331] *s.* 5 v. 92.
[332] *s.* 3 v. 31.
[333] *s.* 33 v. 21.
[334] *s.* 4 v. 59.
[335] *s.* 24 v. 51.
[336] *s.* 4 v. 65.
[337] *Abū Dāwūd*, *Sunna*, ch. 6 (ḥadīth 4607); *Tirmidhī*, *ᶜIlm*, ch. 16 (ḥadīth 2676); *Ibn Māja* (*Muqaddima*), ch. 6 (ḥadīth 42).
[338] Muslim, *Jumuᶜa*, no chapter number-between ch. 13 and 14 (ḥadīth 43); *Tirmidhī*, *ᶜIlm*, ch. 16 (ḥadīth 2676); *Abū Dāwūd*, *Sunna*, ch. 6 (ḥadīth 4607); *Ibn Māja*, *Muqaddima*, ch. 6 (hadīth 42), ch. 7 (ḥadīth 45).

from error, and rid yourself from innovation, and leave your tenacious clinging to that which neither nourishes nor satisfies [i.e., *taqlīd*]![339] [The poet says]:

> This is the truth which is not hidden
> Spare me the side roads
> The best matters procede from guidance
> And the worst are the recently innovated ones.[340]

Similarly, we say in the following ḥadīth and others:

> Follow Abū Bakr and ᶜUmar who will come after me.[341]
> I accept for my *umma* whatever Ibn ummi ᶜAbd [i.e., Ibn Masᶜūd] has accepted for them.[342]
> **[340]** Abū ᶜUbayda b. al-Jarrāḥ is indeed the trustworthy of this nation.[343]

The Prophetic statements mean following these personalities we have been instructed to follow regarding their speech and actions mentioned in the pure *sharīᶜa*. Similarly, they mean showing contentment such as in the case of Ibn Masᶜūd [*ra*] regarding the revealed speech and actions commanded by the *sharīᶜa*. They also convey Abū ᶜUbayda b. al-Jarrāḥ [*ra*] as being the trustworthy of this *umma*, because of the great trust Almighty Allāh has conferred on him in all matters, the greatest being this correct religion and blessed *sharīᶜa*.

1.35 The requirements of the *muqallid* and the masses

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[339] Shawkānī is referring here to the verse about the inmates of hell: "*They have no food but a bitter thorny bush which neither nourishes nor satisfies*". Cf. *s.* 88 v. 7.

[340] *Badr*, p. 608 (biography no. 400).

[341] *Tirmidhī*, *Manāqib*, ch. 16 (ḥadīth 3662).

[342] *Tirmidhī*, *Manāqib*, ch. 38 (ḥadīth 3808); *Ibn Māja*, (*Muqaddima*), *Faḍl ᶜAbd Allāh b. Masᶜud* (ḥadīth 137). The ḥadīth does not appear in the original source with the wording Shawkānī has given, but with the following wording: "If I should appoint a leader without consultation I would appoint Ibn ummi ᶜAbd".

[343] *Bukhārī*, *Faḍā'il aṣḥāb al-Nabī* (*ṣ*), ch. 21 (ḥadīth 3744), *Maghāzī*, ch. 73 (ḥadīth 4382), *Akhbār al-Āḥād*, ch. 1 (ḥadīth 7255); *Muslim*, *Faḍā'il al-ṣaḥāba*, ch. 7 (ḥadīth 35); *Tirmidhī*, *Manāqib*, ch. 33 (ḥadīth 3790-1); *Ibn Māja*, (*Muqaddima*), *Faḍl Abī ᶜUbayda b. al-Jarrāḥ* (*ra*) (ḥadīth 136-7).

Based on our earlier account, you will know that we do not burden the *muqallid* to understand the textual evidences until he proclaims: "I do not understand them nor am I capable of independent *ijtihād*". Rather, we advise him to leave this newly innovated matter (*al-bidʿa al-ḥāditha*) of *taqlīd* and be like the less-learned among the Companions [*ra*] and the Successors [*r*] **[341]** who performed virtuous deeds such as *jihād* and personal worship instead of engaging in memorizing knowledge and trying to reach the pinnacle of *ijtihād*. You have a good model and example in them. Therefore, ask the ulema as Almighty Allāh has commanded you: "*Ask the people of the Reminder* [i.e., knowledge] *if you do not know*".[344] Ask them to cite the textual evidence contained in the *sharīʿa* regarding the issue of worship or transaction needing clarification.

Every scholar, even the less educated among them, knows that none of the less learned among the Companions [*ra*] ever blindly imitated any particular *mujtahid*-Companion [*ra*], who related knowledge and issued *fatwās* to the masses, as is the case with every *muqallid* regarding their imams after the evolution of the different *madhhabs*. To the contrary, the questioner among them would ask anyone of the knowledgeable Companions [*ra*] he happened to meet and would accept the textual evidence he cited as well as the *fatwā* he issued. We have earlier discussed this.

1.36 *Ijtihād* and the oneness of religious rulings

It is necessary for anyone with understanding to know that Almighty Allāh's religion is one and whatever He has permitted remains permissible and its classification does not change, similarly, whatever He has prohibited remains prohibited and it does not change.

If a scholar asserts something to be prohibited whereas the Qur'ān and Sunna have declared it permissible then he has erred and negated what Almighty Allāh has legislated for His worshippers. Similarly, if he asserts something to be permissible whereas He has prohibited it then he has erred, sinned, and has negated what He has legislated for His worshippers. If, however, he gave a view contrary to the *sharīʿa*, but was capable of independent *ijtihād* and has researched the matter thoroughly, without success, then he

[344] *s.* 16 v. 43.

will be considered an erring *mujtahid* who deserves reward. This is based on the reliable ḥadīth we have mentioned earlier that the *mujtahid* who is correct receives two rewards and the one who errs receives one reward. The ḥadīth is agreed upon [i.e., documented by al-Bukhārī and Muslim] and the scholars have unanimously accepted it. **[342]** If, however, he was incapable of independent *ijtihād* or did not research the matter thoroughly, he will be considered reckless in Almighty Allāh's religion and a sinner for having contradicted His laws He has specified for the worshippers.

Therefore, he who asserts that every *mujtahid* is correct (*muṣīb*), if he means the erring *mujtahid* was correct in the issue, he has clearly erred, because his assumption has made Almighty Allāh's ruling contradictory. Because, should one scholar assert something to be prohibited and another that it is permissible it will mean His ruling regarding the particular matter is prohibited and permissible at the same time. This is a false argument, corrupt opinion and unsound thought. Even though it was false in itself, Almighty Allāh is free from this stark contradiction, which further contradicts the ulema's opinion on the matter.[345]

If, however, he means the erring *mujtahid* is correct (*muṣīb*) and, therefore, deserves reward for his *ijtihād* despite his error, this is a correct understanding. At the same time,

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[345]Shawkānī's argument is aimed at the *muqallids* who claimed that since the Prophet (*ṣ*) stated that both *mujtahids* will be rewarded, they are, therefore, both correct. The ḥadīth commentators such as Ibn Ḥajar and al-Nawawī have concluded that both *mujtahids* will gain reward for their effort and the one who is correct will receive an extra reward. The one who is wrong, therefore, will only receive one reward for having performed *ijtihād*. Shawkānī has further pointed out that the notion of (*kullu mujtahid muṣīb*-every *mujtahid* is correct) is an Ashᶜarī and Muᶜtazilī opinion and that all the *fuqahā'* other than the speculative ones have stated that only one *mujtahid* can be correct. See *Irshād al-fuḥūl* (p. 385). Imam al-Shāfiᶜī stated in his *al-Umm* (*bāb ibṭāl al-istiḥsān*) that every *mujtahid* is correct in his personal *ijtihād*, such as two people having made *ijtihād* to face the correct direction of the *qibla* with only one of them being correct in his estimation. Both of their prayers will be accepted, but only one of them will be correct. Cf. Muḥammad b. Idrīs al-Shāfiᶜī, Maḥmūd Maṭrajī (ed.), Beirut: Dār al-Kutub al-ᶜIlmiyya, 1993, pp. 497-8. This violation of al-Shāfiᶜī's legal principle by the later and contemporary Shāfiᶜī scholars further indicates that there has been a major theological shift from the literalist *madhhab* of al-Shāfiᶜī to the speculative Ashᶜarī *maddhab*. Ibn al-Qayyim al-Jawziyya has stated that al-Shāfiᶜī has done a literal reading of the textual proofs in his legal works and has never used allegorical interpretation in his interpretation of them (*majāz*). Nor has any of the great grammarians such as Sībawayh, Khalīl b. Aḥmad, Farrā', Abū ᶜAmr al-ᶜAlā' and al-Aṣmaᶜī discussed *majāz* as being part of the Arabic language. *Majāz*, however, has become the trademark of the later Ashᶜarīs. Cf. Ibn al-Qayyim, *Mukhtaṣar al-sawāᶜiq al-mursala ᶜalā'l-Jahmiyya wa'l-muᶜaṭṭila*, *sayyid* Ibrāhīm (ed.) (Cairo: Dār al-Ḥadīth, 1992), p. 277.

however, he has contradicted the Messenger's (*ṣ*) choice of words who stated, "If he gives judgment by *ijtihād* and commits an error, he receives one reward". Furthermore, the word *muṣīb* should not be used for the erring *mujtahid* even though the one doing so had a sincere motivation. Rather, he should imitate the Messenger (*ṣ*) who described the *mujtahid* as being wrong but deserving reward for his effort despite his error. He could even be described as being wrong whilst gaining reward (*innahu mukhṭi'u ma'jūr*).

Similarly, despite the person's sincere intention the wrong use of the word [i.e., *mukhṭi'u* as *muṣīb*] is improper, because it resembles refuting the Messenger (*ṣ*). It is also impermissible to label the erring *mujtahid* as sinful (*mukhṭi'u āthim*) as some legal theorists (*usūlīs*) have done, because it is **[343]** an ignorant assertion and contradicts the Messenger (*ṣ*), since he had confirmed one reward for the erring *mujtahid* as opposed to their accusation of sin.

As for the assertion of the legal theorist that the *mujtahid* has erred thereby contradicting the correct religious ruling by Almighty Allāh (*li'l-ashbah ᶜinda Allāh*) then this is a correct view, because while the *mujtahid* has erred, he has further contradicted the correct view. That is if he means by *al-ashbah* what Almighty Allāh considers correct. However, if he means something else such as 'that which is closer' [to the truth] (*al-aqrab ilā 'l-ḥaqq*) then this is a wrong assertion, since nothing which contradicts the truth can be closer to the truth until the truth in itself is closer. At any rate, it is better to follow the Messenger (*ṣ*) in his description of the erring *mujtahid* as an erring *mujtahid* who gains reward. (*mukhṭi'u lahu ajr*).

Certainly furthest from the truth are those who hold the view that every *mujtahid* is correct in his [personal] *ijtihād* and that all [the differing] scholars are correct about the ruling (*al-ḥaqq*) Almighty Allāh has intended. With this claim they have made His intended ruling a matter, which will circulate between the *ijtihād* of the *mujtahids* until the Day of Judgment. This means the *ijtihād* of every *mujtahid* is what Almighty Allāh has intended for His worshippers even if it contradicted that of the other *mujtahids* as we have explained earlier.

1.37 The logic of the *muqallids* resembles that of the sophist groups

How great is the resemblance between he who has assumed every *mujtahid* is correct and the group called the sophists (*al-sūfusṭā'iyyūn*) who have advanced arguments, which contradict human intellect. None of the intelligent ulema have considered their views, since their views resemble insanity rather than intelligence.

[344]They consist of three groups: *ᶜIndiyya*, *ᶜInādiyya* and *Lā adriyya*. If one of the *ᶜIndiyya* is told you are present he responds: "I am, according to you, not as far as I am concerned". If one of the *ᶜInādiyya* is told: "You are present" he replies: "No". If he is asked: "What is this ghost I see, the speech I hear coming from it and the body (*jirm*) I touch", he replies: "There is nothing and I do not exist". As for the *Lā adriyya* if one of them is told, you are present, he replies: "I do not know". The intelligent ulema have declared the sophists are undeserving of dialogue but deserve to be punished until they confess, because they do not listen nor do they accept any textual proof.

Strangely, the *muqallids* accept the scholar's view of the *madhhab* who invetstigates and then prefers one of the imam's views over the other (*al-tarjīḥ*) even though he is only a *muqallid*, not a *mujtahid* or nowhere near the status of *ijtihād*. Should a scholar appear equal to their imam in knowledge or even greater than him to inform them about the preferred view of the two (*al-rājiḥ*) they will disregard him and reject his view, despite he supported it with indisputable Qur'ānic verses (*al-āyāt al-muḥkamāt*) and indisputable traditions (*al-aḥādīth al-mutawātira*). To the contrary, they accept such *tarjīḥ* from those who agree with them merely because he consulted the *madhhab* of their imām and performed *qiyās* based on his opinion, which they adopt as their religion and, therefore, allow certain acts and forbid others.

O for Allāh and the Muslims! Every intelligent person knows the Lord is One, His Prophet (*ṣ*) is one, the *umma* is one and the Qur'ān is one. **[345]** In brief, it will not escape the intelligent person that each of the *madhhabs* became a *sharīᶜa* to its followers

whereby they pushed aside the Qur'ān of Almighty Allāh and His Messenger's (*ṣ*) Sunna, making it a yardstick to reject everything contrary to it, whatever it may be.

1.38 Closing the door of *ijtihād* means abrogating the *sharīʿa*

Strangely, these lame *muqallids* (*makāsīr al-muqallida*) have not stopped where Almighty Allāh has stopped them regarding their ignorance and useless knowledge. They have opposed the scholars similar to the Days of Ignorance (*al-Jāhiliyya*) and claimed, the door of [independent] *ijtihād* has closed and, therefore, the way of [performing *ijtihād* through] the Qur'ān and Sunna has stopped. The claim of these ignoramuses means abrogating the *sharīʿa* and its laws causing only its name to remain. Hence, there would be no usefulness for the Qur'ān or Sunna, because the scholars knowledgeable about them would have no way of explaining what Almighty Allāh has commanded for His worshippers in the following statement:

> *Allāh made a covenant with those given the Book: 'You must make it clear to people and not conceal it'.*[346]
> *Those who hide the Clear Signs and Guidance we have sent down, after We have made it clear to people in the Book, Allāh curses them…*[347]

This will mean their rulings became nonexistent and inaccessible to the worshippers and nothing remained except the recitation of the Qur'ān and the teaching of the ḥadīth books, and there remained no way to worship with anything contained in them. Therefore, whoever among the *muqallids* claimed by the laity he has judged or gave *fatwā* based on these two sources or acted on something contained in them for his personal worship has made a false claim that should be rejected. So, look at this great calamity (*al-fāqira al-ʿuzmā*), severe misfortune (*al-dāhiya al-dahyā'*), enormous ignorance (*al-jahāla al-jahlā'*) [346] and blind and deaf innovation (*al-bidʿa al-ʿamyā' al-ṣammā'*). Glory be to You [O Allāh], this is a terrible slander![348]

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[346] *s.* 3 v. 187.
[347] *s.* 2 v. 159.
[348] Cf. *s.* 24 v. 16.

Should the *muqallids* claim their *taqlīd* in no way means abrogating the Qur'ān and Sunna and removing the worship contained in them as we have explained earlier then ask them what reasonable understanding remains after their disgusting claim? Because, they have claimed the Muslims have no choice but to practice *taqlīd* without having recourse to anything else and that the door of *ijtihād* has been closed. Therefore, whoever has claimed *ijtihād* has made a false claim. Furthermore, he has claimed that Almighty Allāh has deprived His worshippers of His Favor and the use of His textual evidences has stopped!

Despite their claims being clear lies, the *muqallids* have differed greatly among themselves and some of them have claimed that no one can perform [independent] *ijtihād* after Abū Ḥanīfa, Abū Yūsuf, Zufur b. Hudhayl[349] (d. 158/774), Muḥammad b. al-Ḥasan al-Shaybānī[350] (d. 187/802), Ḥasan b. Ziyād al-Lu'lu'ī (d. 204/819). The majority of the Ḥanafī *muqallids* hold this view. Abū Bakr b. al-ᶜAlā al-Qushayrī al-Mālikī claimed that no one can perform [independent] *ijtihād* after the second century after Hijra.

Other *muqallids* have claimed that no one can perform [independent] *ijtihād* after al-Awzāᶜī, Sufyān al-Thawrī (d. 161 or 164/777 or 780), Wakīᶜ b. al-Jarrāḥ (d. 196 or 197/811 or 812) and ᶜAbd Allāh b. al-Mubārak (d. 181/797). Yet others have claimed no one can perform [independent] *ijtihād* after al-Shāfiᶜī. We have recounted some of this clear corruption and lies in our treatise titled *al-Qawl al-mufīd fī ḥukm al-taqlīd*. Despite the *muqallids* not being ranked among the ulema by the consensus of the learned scholars (*bi-'l-ijmāᶜ*), as we have mentioned earlier, they are further undeserving of the scholar occupying himself with their opinions and prolonging their refutation, as they are considered ignorant and do not elevate their status by merely memorizing the opinions of their imam.

[349]Zufur b. Hudhayl al-ᶜAnbarī was a Ḥanafī jurist and reliable narrator and the most prominent of imam Abū Ḥanīfa's students, cf. al-Dhahabī, *Siyar*, vol. 8, p. 38.

[350]Muḥammad b. al-Ḥasan al-Shaybānī was a prominent Ḥanafī jurist who started studing *fiqh* under Abū Ḥanīfa and completed his studies with Abū Yūsuf, cf. al-Dhahabī, *Siyar*, vol. 9, p. 134.

[347] But since their innovation has spread all over the world and has caused them to become the vast majority (*al-sawād al-aᶜẓam*) with most of the judges and *muftīs* belonging to them, including those occupying high government positions, because they share the *muqallids'* ignorance about the religious rulings Almighty Allāh has legislated for His worshippers, they became the powerful and mighty. The masses do not have the necessary perception to discern the learned from the ignorant and to distinguish between their positions. They merely look at those with high positions and those smartly dressed and after having verified this, they look at the teachers of religious knowledge. They now observe the teacher of speculative knowledge (*shaykh ᶜilm al-ra'y*) having gathered a multitude of *muqallids* around him who are shouting, wailing and being noisy while they and their teachers fill the schools and mosques. They do not afford the teacher who has knowledge about the Qur'ān and Sunna any influence (*athar*) or significance (*khabar*), because he conducts his lesson in the corner of a school or mosque attended by one or two students surrounded by peace and tranquility. Nobody looks at them nor does anybody desire their condition.

What does the uneducated person thinks when he sees this and what crosses his mind and takes control of it? Who does he incline to and who does he regard having knowledge? Who does he entrust with the reins of his religious and worldly life? It is for this reason that we needed to address the issue of *taqlīd* in this and our other works. Otherwise, the *muqallids* are more lowly and despicable and undeserving of attention or to capture everything of their clear ignorance, which can hardly confuse the one who has the least knowledge and discernment.

1.39 Shawkānī's campaign against the *muqallids*

I have encountered trials and tribulations with the *muqallids* [i.e., the Zaydīs] during my learning and teaching days and in the prime of my youth (*ᶜunfuwān al-shabāb*) [348] some I have recorded in my treatises and others I have put forth in poetry. Here are some poetry verses I have addressed to them:

O critic of a doctrine he does not understand

Tell me how can the one who does not understand criticize?
O ascender of rugged ground with a narrow passageway
Does he ascend from the level ground trembling?
O passer through the desert without any companion
What is the escape if the lion kills you?
O he who plunges into the sea unable to swim
Woe to you, will you escape when the foam rises above you?[351]

And from it:

I was afflicted by the ignorant masses
When men of religion opposed me
Scholars obscured the status of one of their own
But they were unable to solve contemporary matters
The end result of scholars is that they are:
The worst enemy to the one sound in knowledge
If they see someone has achieved a great status
In knowledge they do not know, they reject him
Or he did not lean towards corrupt opinions
They spared him no evil
As for the ḥadīth of reliable origin
Such as the primary ḥadīth works, they have no equal[352]
If they hear someone says: he addressed us (*ḥaddathanā*)
They call him a (*nāṣibī*)[353]; misguided
If he acknowledged[353] the Companions amongst them
They labelled him an opposer of the Prophet's family; *mujtahid*
O excessive innovators with the misfortune of ignorance
Who make others averse to sound guidance, be guided

[351]Shawkānī, *Dīwān*, p. 125.
[352]That is, the Zaydīs do not have reliable ḥadīth works such as al-Bukhārī and Muslim.
[353] A *nāsibī* is a hater of the Prophet's family
[353]Shawkānī means here if a companion is mentioned in their presence and he says "May Allāh be pleased with him" (*raḍiya Allāh ᶜanhu*).

[349] There is no deficiency in the youth's *ijtihād* in knowledge
The deficiency is with ignorance-may the Everlasting not protect you
Do not deny a sweet fountain[354] to the drinker
If it is necessary to reject him then do so
If you refuse then the Resurrection is our appointment
In the presence of the Chosen One[355]and the Judge, the One.[356]

And what I have also said about that:

During the youth of each era
Peace to the laughing thunder
It irrigates from the night clouds
Continuous rain gaining bounty
At this time I entered every science
With youthfulness I opposed the elderly scholars
I returned what I have gained from knowledge
I was generous in it; others were not
Some people opposed me because of it
The most unjust is the envious one
They saw me unattached from the peoples' religion
They regarded the forefathers' doctrines the truth
They abandoned the pure sayings of Ṭāhā[357]
And they were all fleeing from it.
They said, 'So and so came to us
With a recurring dilemma and calamity'
He says: the truth is the Qur'ān
And the best Prophet's sayings, not speculative opinions
I said, I say the same as this

[354]The fountain refers here to the Qur'ān and Sunna
[355]The chosen one refers to the Prophet (*ṣ*)
[356]Shawkānī, *Dīwān*, pp. 125-6.
[357]There is some dispute among the scholars whether this is one of the Prophet (*ṣ*) names.

Every opinion besides them the refutations will strike
This is the clear path of the great scholars before me
They have all come to this fountain
Should anyone reject my virtue and honor
Then people have always rejected
Every young man who had knowledge;
Gained ascendancy with that,
And mastered the unmastered in every science
He became the target of every unusual poem
The deficient slandered him with every defect
And their armies rose to fight him
[350] They returned unsuccessful and all their plots
Returned to their own selves
They wished to disgrace his standing
While witnessing his high honor
Is not He capable of spreading the virtue
Of someone destined for enviers
Opposed is the one whose virtue increases
Rejection in his virtues escalates
When he is absent they blemish him
But when he is present they prostrate to him[358]
The dog's barking in full moon does not harm
And he does not fear the black horses
Nor does Thamud pass the sides
Of the mountain peaks when the wind blows
Nor is the ocean faulted once
If the monkeys urinate by its sides.[359]

And here is some of what I have said in a long poem:

[358]Ḥusayn al-ᶜAmrī has an additional verse: "There is no fault they tried to find with him //But he would refute their claim". Cf. *Dīwān al-Shawkānī*, p. 124
[359]Ibid., pp. 123-5.

There is no blemish other than I am your compatriot
The sun; they knew only its spark
You are bats flying in the dark
Which are continuously tired in the sun
Die if you wish my opinions have flown
Defending the truth I have verified in books
I hope that some will answer my call
Striving for religion not blind clinging
They do not equate His speech with a young man
And the best Messenger's Sunna with an ignoramus's opinion
They do not drift from the straight path
Showing insincerity in case of enticement or intimidation
[351] I propagate to them from my *madhhab*
Pearls I hide from the blind folowers and doubters
O you whose great scholars have perished foolishly
And the leader of the scholars became a follower
No master of knowledge rose among you
Unless his dosage were cups of distress[360]
He who said amongst you, 'The Messenger (*ṣ*) said'
Tomorrow was labelled a *nāṣibī*.[361]

And some [of that I have said]:

You opposed the distinguished Sunna
Therefore your opponent's claim became the cause
How much does the ignorant see benefit in harm
While he hopes for safety from destruction
You dominated an ignorant era regarding the sciences

[360]Ḥusayn al-ᶜAmrī has the following additional verse: People who have given you of their abominable knowledge//Wicked predecessors from a long passed time
[361]Ibid., p. 72.

And speculative knowledge which drags the tail of war and distress
Ijtihād appears in your books of jurisprudence
The condition of the imam; if they oppose it, he does not answer
Similarly, the condition of carrying the burden of judgeship
And giving religious verdicts, they do not know their books.[362]

And some [of that I have said]:

And I have gained their conditions manifold
Before I was thirty years old without telling lies
Did I not perfume the most prestigious mosques?
With teaching in every science O students
Did I not pen in my youth what appeared early, sure knowledge in joy?
If the sun rose in any place other than yours
The impeding cloud's lightning would not obstruct it
You would not have gone at night looking at it
As if it rises in the darkness of a veil.[363]

And [here is some of] what I have said in a long poem:

The door of truth was not closed for the seeker of truth
But the inflamed unintelligent eye was closed
[352] Men like bats and its light
Appeared to the darkness blinding them with the sun
Does the beautiful woman depreciate because of disinterest?
In her beauty, by the one stricken with impotence?
Does a part of the moon disappear when it comes out?
Because the dogs reject it then starts to growl.
The sea is not harmed if a fool stands

[362]Ibid., p. 73.
[363]Ibid., p. 74.

On its shore hurling a stone at it
Enter into the depths of *ijtihād* and count
Men pulled back from greatness through lies.[364]

And what I have also said about that:

And if you are an insightful and noble critic
Then leave what pleases the blind eye
No text reached us in the evening
And no ruling reached the healthy minds
What overflowed of the Lord's bounty on the first [generations]
Has passed and He has showered on you from His wisdom
Do not be subjugated, docile and trained
Like an animal because of this.[365]

I have recounted much poetry regarding this topic which deserves a separate work. In my work titled *Adab al-ṭalab wa muntahā al-arab* I have recounted some of the incidents which occurred between me and the *muqallids*. Their eager plots and firm envy continues until the present, but Almighty Allāh is the Protector of His religion and the Elevator of His *sharī'a's* standard-bearers. He restricts whoever plots against its adherents and carriers and the evil plotting only affects those who are guilty of it.[366] Almighty Allāh states:

They think they deceive Allāh and those who have faith. They deceive no one but themselves.[367]
They [i.e., the Jews] *plotted* [353] *and Allāh plotted. But Allāh is the best of those who plot.*[368]
Mankind, your rebelliousness is only against yourselves.[369]

[364]Ibid., p. 104.
[365]Ibid., p. 105.
[366]Cf. *s.* 35 v. 43
[367]*s.* 2 v. 9.
[368]*s.* 3 v. 54.

> *Those to whom the people said, 'The people have gathered against you, so fear them.' But that merely increased their faith and they said, 'Allāh is enough for us and the Best of Guardians. So they returned with Blessings and Bounty from Allāh and no evil touched them.*[370]

How truthful are the promises Almighty Allāh has promised His worshippers and how obvious and plain is its accomplishment and occurrence, because He is truthful about His Promise; all praise is due to Him. No one has ever opposed the deserving, but He has foiled his plan, his plot afflicted his own self, his deception returned to him, and his rebelliousness surrounded him. How many times have we seen and heard about this in our time happening with and amongst us? The successful outcome belongs to the believers just as the Lord of the worlds has promised; all praise belongs to Almighty Allāh.[371]

1.40 Some of the dangers of *taqlīd* and the *muqallids*

Similarly, as the doctrine of the *muqallids* who have closed the door of [independent] *ijtihād* as well as the avenues leading to it demanded the removal of the Qur'ān and Sunna and worshipping without their instruction, it has further pushed aside the reliable ḥadīth of the Messenger (*ṣ*): "That a group of people from my *umma* will always remain triumphant on the straight path".[372] It has likewise rejected the reliable ḥadīth that there will continuously be someone defending the religion of Almighty Allāh[373] as well as the reliable ḥadīth: "That Almighty Allāh will send to this *umma* at the turn of every century someone who will revive their religion for them".[374]

[354] 1.41 The existence of *ijtihād* in the *madhhabs* refutes the *muqallids*

Despite every *madhhab's* source of knowledge having been soiled, because of the *muqallids* lack of understanding text proofs or knowledge except these guidelines (*ṣuwar*)

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[369] *s.* 10 v. 23.
[370] *s.* 3 v. 173-4.
[371] *s.* 7 v. 127.
[372] *Muslim*, *Imāra*, ch. 53 (ḥadīth 170); *Tirmidhī*, *Fitan*, ch. 51 (ḥadīth 2229); *Ibn Māja*, (*Muqaddima*), ch. 1 (ḥadīth 10).
[373] *Ibn Māja*, (*Muqaddima*), ch. 1 (ḥadīth 7-10).
[374] *Abū Dāwūd*, *Malāḥim*, ch. 1 (ḥadīth 4291).

they found in the abridged works of their earlier scholars, Almighty Allāh has made many of them prominent and knowledgeable scholars about the Qur'ān and Sunna and the mechanical and other sciences, which served as an introduction to the Qur'ān and Sunna. He who has studied history and world events will know this.

Among them are those whom He has granted mastery of the *ijtihād* sciences and more, but the fanatical contemporary *muqallids*, who participated in the *madhhab's* discourse by mere affiliation to it, subjected them to trials and overpowered them; acted hypocritically and deceived them, while the *mujtahids* feared suffering disgrace at their hands, and anticipated the masses fascination with them [i.e., *mujtahids*]. Some of them hid their ability to perform independent *ijtihād* and were unable to claim it for themselves. They were, therefore, unable to show their belief and practice by presenting the proofs they knew contradicted speculative knowledge. Some of them claimed a certain independence from the *madhhab* but later encountered [strong] opposition from the schooled sectarians because of the masses' fascination with them [i.e., schooled sectarians]. That is a common occurrence, which anyone will know that studies the general or specific history of the *madhhabs* or one of the sectarian groups.

Whoever does not know history and is uneager to research world history to verify the different sectarians groups' standing, should read the works of Ibn ᶜAbd al-Salām **[355]** Ibn Daqīq al-ᶜĪd, Ibn Sayyid al-Nās, al-Dhahabī[375] (d. 747/1346), Zayn al-Dīn al-ᶜIrāqī, Ibn Ḥajar al-ᶜAsqalānī and al-Suyūṭī and those like them of the Shāfiᶜī scholars. Furthermore, he should read the works of Ibn Qudāma[376] (d. 744/1346) and his contemporaries of the Maqdisīs (Palestinians) and those after them like Ibn Taymiyya and his student Ibn al-Qayyim and their likes of the Ḥanbalī scholars. **[356]** Similarly, he should consult the works of Ibn ᶜAbd al-Barr, *al-qāḍī* ᶜIyāḍ[377] (d. 476/1083) and Ibn al-

[375]al-Dhahabī: Muḥammad b. Aḥmad b. Uthmān b. Qaymāz al-Dhahabī was a great historian and scholar and author of the famous works such as *Siyar aᶜlām al-nubalā'* and *Tadhkira al-ḥuffāẓ*. He suffered severe criticism from his student al-Subkī. See *Badr*, pp. 626-9 (biography 411).

[376]Ibn Qudāma (al-Maqdisī): Muḥammad b. Aḥmad b. ᶜAbd al-Hādī was a great Ḥanbalī scholar and *hāfiẓ* of ḥadīth. He defended Ibn Taymiyya against the criticism of al-Subkī, cf. *Badr*, pp. 225-5 (biography 409).

[377]al-Qāḍī ᶜIyāḍ: ᶜIyāḍ b. Mūsā b. ᶜIyāḍ was a Morrocan scholar and the ḥadīth scholar of his time.

ᶜArabī[378] (d. 543/1148) and the other Mālikīs. In short, there are many scholars in every *madhhab* the majority who disapprove of *taqlīd* and rebuke its followers, however, it is as we have explained earlier, that only a small minority of them did so openly, because of the reason we have stated whereas most of them merely hinted at it.

1.42 The Yemenis and *ijtihād*

As for our country Yemen-may Almighty Allāh bless it-the overwhelming majority of scholars who have expanded in the religious sciences and realized their ability to perform [independent] *ijtihād* acted on the textual evidence, disposed of *taqlīd*, and removed its yoke from their necks. We know this from our teachers and they from theirs; the earlier ones from those before them, from our countrymen and students. Rather, most of our students have this quality and praiseworthy description. In fact, most of the fair-minded persons amongst the uneducated people in our country never subjected themselves to *taqlīd*, but followed the Salaf among the Companions [*ra*] and their Successors [*r*] as well as those who succeeded them **[357]** by relying on the scholars of the Qur'ān and Sunna for the preferred textual proof practicing and submitting themselves to it. They did not care if they contradicted the legal opinions of the *muqallids*, and thus they became affiliated to the pure Sunna having dissociated themselves from following any particular *madhhab*. They were correct in doing so and Almighty Allāh caused them to be correct, increased their reward and removed them from the shame of the *muqallids* who followed every donkey (*atbāᶜ kulli nāᶜiq*).

1.43 Ignorance forms the basis of the *muqallid's* fanaticism

We have earlier explained the *muqallids* have dispraised and flawed what they do not know [i.e., *ijtihād*]. Any intelligent person will disapprove of such behavior and anyone who has understanding will ridicule its protagonist, because the one who spoke about something he does not know is ignorant for two reasons. First, because he does not know the matter and second, because he spoke about something [i.e., *ijtihād*] he does not know, which is the way of those known for their compounded ignorance. That is if one

[378]Ibn al-ᶜArabī: Muḥammad b. ᶜAbd Allāh b. Muḥammad was a Mālikī scholar, a judge, *hāfiz* of ḥadīth and a *mujtahid* who wrote in the sciences of ḥadīth, *fiqh*, *tafsīr*, *uṣūl al-fiqh*, *adab and tarīkh*. He is not the speculative Sufi from Spain who shares the same name.

disregards he not did not criticize *ijtihād* and his inciting soul (*al-nafs al-ammāra bi'l-sū'*) did not cause him to criticize its adherents. If he did so, it would be wrong from three angles, this being the third. How beautiful is the verse of the poet:

> We heard that Sahl ignorantly dispraised the sciences
> Which he did not know
> If he knew them, he would not dispraise them
> But being satisfied with ignorance is easy (*sahl*)[379]

The poet was correct, since the ignoramus's motivation for meddling is his satisfaction at being ignorant [with *taqlīd*] and this deficiency, defect, ignorance and contemptibility suits him because of what he has chosen for himself.

1.44 The political and religious leaders' duty towards the factionalists

It is the duty of every person who occupies the office of commanding the good and forbidding the evil **[358]** to make forbidding the *madhhabists'* evil the quintessence of every evil he prohibits, since in reality they have criticized the Qur'ān of Almighty Allāh and His Messenger's Sunna claiming the *sharī'a* contained within these two sources has been abrogated. They have further criticized the scholars among the Salaf and those who followed their correct guidance pushing aside the religious duties Almighty Allāh has legislated for His worshippers, having used speculative theology, which is the sharī'a's counterpart. Having reached this stage, are they guilty of minor or compounded ignorance?

Have you ever heard of such an evil, trial or calamity such as this in the Islamic faith? Because, slandering a Muslim is an evil that every Muslim confirms whether it was done through defamation, lies or even cursing the antagonist in confrontation or defence. How much more so, with the one who has spread the greatest falsehood and the most despicable insult against Muḥammad's [ṣ] *sharī'a* and Islamic religion as well as the

[379]Unknown source.

earlier and later scholars of Islam? O for Allāh and the Muslims! O for Allāh and the Muslims! O for Allāh and the Muslims!

Indeed, when the *madhhabists* realized a considerable number of the scholars flattered and pleased them fearing their evil, the scholars' silence only increased their evil and caused them to become bolder in their actions. If only the ulema defended the *sharīʿa* and its followers, a compulsory duty on them, [359] the *muqallids* would have been less evil and mischievous. The least they should have done is telling the *muqallids* they are ignorant and undeserving of any address or answer. By doing so, they would have stopped some of their corrupt belief and unsound imagination they have regarding themselves caused by the scholars' silence and patience with what they heard about them. The *muqallids'* humiliation by the scholars exposing their ignorance and error could have resulted in some benefit that would have stopped some of their audacity against the Qur'ān of Almighty Allāh, His Messenger's Sunna and the *umma's* ulema. Some people are reformed by humiliation and others destroyed by honor. That is common knowledge to anyone who knows the behaviour of people and their dispostion. The poet was correct when he said: "Honor the tribe of Tamīm with disgrace, because if honored they are destroyed by it".[380] Another poet said: "Disgrace ᶜĀmir then you have honored him, because the brother of ᶜĀmir is the one who was affected by disgrace".[380]

It is necessary for the one who hears one of them giving *fatwās* in the lawful and unlawful matters, after having assumed an undeserving position, to address him in the poet's words: "You say this is impermissible in our view//Who are you to claim the right to a view?" Should you hear one of them speaking without knowledge, considering it is speculative knowledge and is regarded knowledge only in the terminology of the masses, otherwise it is not regarded knowledge by the consensus of the ulema as we have earlier stated. [360] The person should recite Almighty Allāh's statements:

[380]Unknown source.
[380]Unknown source.

You are people arguing about something of which you have knowledge. Why do you argue about something of which you have no knowledge?[381]

Do not say about what your lying tongues describe: 'this is permissible and this is impermissible, inventing lies against Allāh. Those who invent lies against Allāh-a brief enjoyment, then they will have a painful punishment.[382]

Say: 'My Lord has forbidden indecency, both open and hidden, and wrong action, and unrightful tyranny and associating anything with Allāh for which He has sent down no authority, and say things about Allāh you do not know'.[383]

Those who do not judge by what Allāh has sent down, such people are disbelievers.[384]

Those who do not judge by what Allāh has sent down, such people are wrongdoers.[385]

Those who do not judge by what Allāh has sent down, such people are deviators.[386]

He should read to the *muqallid* those verses which contain the meaning of judging with truth and justice and what Almighty Allāh and His Messenger have clarified [regarding judgment].

1.45 The extent of Almighty Allāh honoring the a*wliyā'*

Let us now return to the commentary of the ḥadīth we are busy explaining. Al-Kirmānī states: "Almighty Allāh's statement *lī* (my) in "…whoever shows hostility to My *walī*" is originally [361] an adjective (*ṣifa*) of *waliyyan*, but since the adjective preceded it [i.e., the noun], the adjective became the accusative case (*ḥāl*)".[387] I [i.e., Shawkānī] say, the meaning does not change because of this since *lī* remains descriptive in meaning: "he

[381] *s.* 3 v. 66.
[382] *s.* 16 v. 116-7.
[383] *s.* 7 v. 33.
[384] *s.* 5 v. 44.
[385] *s.* 5 v. 45.
[386] *s.* 5 v. 47.
[387] *Fatḥ al-Bārī*, vol. 13, p. 144.

who treated my existing *walī* with hostility" (*man ᶜādā waliyyan kā'inan lī*). It is also in the *ḥāl* condition, but the word *lī* preceding *waliyyan* has a great benefit of showing the *walī's* virtue with Him specifically to the exclusion of everyone else according the books of word usage (*kutub al-maᶜānī wa'l-bayān*). Furthermore, by attaching the *walī* to His self affords him a great honor and significant status.

Ibn Hubayra states: "Making an excuse before warning someone (*taqdīm al-iᶜdhār ᶜalā 'l-indhār*) can be deduced from the ḥadīth". I [i.e., Shawkānī] say it means that since Almighty Allāh has mentioned showing hostility to the *walī* first, it is as if He has excused himself from any injustice regarding the hearer of the ḥadīth about his great status and that he should not be opposed. To the contrary, anyone who knew his status should support and love him. Should he refuse to do so then He has excused Himself from any injustice by reminding him that whoever showed hostility to the *walī* deserved severe punishment for such hostility. He warns the person: "I shall declare war against him", because of what he did to My *walī*.

The ḥadīth of ᶜĀ'isha (d. 57/676) reported by Aḥmad in *al-Zuhd*, Ibn Abī 'l-Dunyā and Abū Nuᶜaym in *al-Ḥilya* and al-Bayhaqī (d. 458/1065) in *al-Zuhd* mentions the wording "he who humiliated my *walī*". In another narration it states "he who harmed (*ādhā*)", but its chain contained the narrator ᶜAbd al-Wāḥid b. Maymūn classified as *munkar al-ḥadīth*,[388] who narrated it from ᶜUrwa[389] (d. 94/712). However, al-Ṭabarānī (d. 360/970) narrated it via Yaᶜqūb b. Mujāhid (d. 94/712) **[362]** who narrated it from ᶜUrwa with the wording, "*faqad ādhantuhu*" with a lengthening (*madd*) [i.e., on the Arabic letter *alif*] and the letter *dhāl* carrying a *fatḥa* vowel followed by the letter *nūn* (*wa fatḥ al-muᶜjama baᶜdahu nūn*); meaning, "I informed him". The author of *al-Ṣiḥāh* says: "*ādhantuka bi'l-shay'*" meaning: 'I informed you about it' (*aᶜlamtukahu*); the informer (*al-ādhin*) is the

[388]The classification of a narrator as *munkar al-ḥadīth* differs from scholar to scholar. Imam Aḥmad has used this term to criticize a narrator when he narrated ḥadīths which is not to be found amongst that of his contemporaries whereas al-Bukhārī used it to indicate that it is not permissible to narrate his ḥadīths. Al-Sakhāwī cited *al-ḥafiẓ* al-ᶜĪrāqī as stating that *munkar al-ḥadīth* is used for someone who is known to have narrated only one ḥadīth. Cf. ᶜAbd al-ᶜAzīz b. Muḥammad b. al-ᶜAbd al-Laṭīf, *Ḍawābiṭ al-jarḥ wa'l- taᶜdīl* (n.p.: Medina, al-Jāmiᶜa al-Islāmiyya, 1992), p. 148.

[389]ᶜUrwa b. al-Zubayr b. al-ᶜAwwām was a reliable narrator and famous jurist and was born at the beginning of ᶜUthmān's (*ra*) reign, cf. *Taqrīb*, p. 389 (biography 4561).

preventer (*al-ḥājib*).[390] The poet said: "With your permission the chosen one will be replaced (*tubaddalu bi-idhnik al-murtaḍā*)".[391] *Ādhana* and *ta-adhdhana* (he notified) has the same meaning as *ayqana* and *tayaqqana* (he was sure). You say *ta-adhdhana al-amīr fī 'l-nās*, that is, he called amongst them threatening and forbidding them meaning he informed them. Almighty Allāh' statement: "*And your Lord announced* (*ta-adhdhana)*" means: "He informed".

Through this explanation you should know that His statement *faqad ādhantuhu* means threatening the one who has opposed the *walī* and forbidding him to harm him, because he was notified not to harm him, since he is His *walī*. As for the shortened vowel (*maqṣūr*) without the lengthening [i.e., *adhina*], it has the meaning of *ᶜalima* (he knew) such as Almighty Allāh's statement: "*Fa'dhanū bi-ḥarb min Allāh wa rasūlih*"[392] meaning "know" [all of you] as well as the meaning of listening (*istimāᶜ*). It is said *adhina lahu* when he listens such as the poet saying:

[363] If they hear accusations against me they rejoice
And whatever they hear of my virtue they hide
Deaf are they when they hear I am praised
And when I am vilified they know it (*adhinū*)

Moreover, the following ḥadīth supports this meaning: "Of all the things that Almighty Allāh hears He listens most attentively (*mā adhina Allāh li-shay' ka idhnih*) to the Prophet [*ṣ*] reading the Qur'ān melodiously".[393] *Al-adhān* means to inform and the call to prayer (*al-adhān li'l-ṣalāt*) was derived from it. The Prophet's (*ṣ*) statement "*bi'l-ḥarb*" (with war) in the narration of al-Kashmayhanī (d. 389/998) appears [verbatim] as "*faqad ādhantuhu bi-ḥarb*" but in the ḥadīth recorded by Ibn Māja and Abū Nuᶜaym in his *al-Ḥilya* it appears with the wording "*faqad bāraza Allāh bi'l-muḥāraba*". In the ḥadīth of Abū Umāma in [the *Muᶜjam* of] al-Ṭabarānī and *al-Zuhd* of al-Bayhaqī which has a

[390]al-Jawharī, *Tāj al-lugha*, vol. 1, pp. 224-6.
[391]Unknown source.
[392]*s.* 2 v. 279
[393]Cf. *Bukhārī*, *Tawḥīd*, ch. 32 (ḥadīth 7482).

defective chain the ḥadīth of the *walī* appears with the wording "*faqad bārazanī bi'l-muḥāraba*". Similarly, the wording of Anas's ḥadīth in [the *Musnads* of] Abū Yaᶜlā (d. 276/889) and al-Bazzār (d. 292/904) and the *Muᶜjam* of al-Ṭabarānī has a weakness in the chain. In the ḥadīth of Maymūna it appears with the wording "*faqad istaḥalla muḥārabatī*" and in the narration of Wahb b. Munabbih (d. 114/732)[394] it appears with the wording "*man ahāna lī waliyyī al-mu'min faqad istaqbalanī bi'l-muḥāraba*".

Ibn Ḥajar states in *al-Fatḥ* [i.e., *Fatḥ al-Bārī*]:

> Hostility occuring poses a problem since it means a reaction from both sides whereas the creation is in Almighty Allāh's captivity. The answer is: it is an address which is understood, since hostilities originate from animosity [364] and animosity originates from disobedience. The result of hostilities is destruction; no one overpowers Almighty Allāh. It is similar to the meaning: 'He has exposed himself to My destruction', therefore, hostility is used but its result intended, meaning: 'I shall do to him what a hostile enemy does'.[395]

I [i.e., Shawkānī] say he [i.e., Ibn Ḥajar] has made that an implicit reference, that is, a word which outcome is intended, while the word itself can also be intended as verified by the scholars of *ᶜilm al-bayān*. It can also be argued that interaction (*mufāᶜala*) is used, but not intended from both sides according to the many Arabic constructions, which means the hostilities (*muḥāraba*) here is from Almighty Allāh according the statement, 'I have notified him about hostilities' (*faqad ādhantuhu bi'l-ḥarb*). [365] It is also possible to regard the worshipper, since he was obstinate towards Him, because of his animosity towards the *awliyā'*, like someone who assumed the role of acting hostile towards Him even though in reality he is under His control, His ruling and more insignificant and despicable to fight his Lord. However, his soul which commanded him with evil (*al-nafs al-ammāra bi'l-sū'*) deluded him most wickedly causing him to oppose the *walī* whom

[394] Wahb b. Munabbih b. Kāmil was a Yemeni narrator whose ḥadīth al-Bukhārī and Muslim have documented, cf. al-ᶜAsqalānī, *Taqrīb*, p. 585 (biography 7485).
[395] *Fatḥ al-Bārī*, vol. 13, p. 144.

Almighty Allāh has commanded him to support and love knowing his Lord hates this and has made His punishment binding on him causing his destruction that none can escape from. Al-Fākihānī said:

> The ḥadīth has a severe warning because he whom Almighty Allāh has fought will be destroyed, which is an eloquent metaphor. Because he who dislikes the one He loves contradicts Him and he who contradicts Him opposes Him and he who opposes Him will be destroyed. If showing hostilities (*al-muᶜādāt*) confirms this then showing support (*al-muwālāt*) does the same. He who supports the *awliyā'* of Almighty Allāh, He will honor him.[396]

I [i.e., Shawkānī] say there is no need for this allegorical interpretation (*al-majāz*) using these intermediaries and linguistic shift as the mere hostilities from the Lord afflicting His worshipper entails the most effectual destruction and the most complete retaliation as intended by the ḥadīth's meaning. Similarly is the case of Almighty Allāh warning the people who deal in interest (*ahl al-ribā*) stating: "*Know that it means war from Allāh and His Messenger*".[397] [366] Al-Ṭūfī states:

> Since the *walī* of Almighty Allāh is someone who upholds His obedience and fear (*taqwā*) He has undertaken to support and protect him. Almighty Allāh has made it customary that the enemy of an enemy is a friend and a friend of an enemy is an enemy. Thus, the enemy of His *walī* is His enemy and whoever opposed him is like someone who fought him, and whoever fought him is like someone who fights Him.[398]

I [i.e., Shawkānī] say: This is similar to our earlier explanation of interaction between two sides (*fī tawjīh al-mufāᶜala*).

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[396]Ibid.
[397]*s.* 2 v. 279.
[398]*Fatḥ al-Bārī*, vol. 13, p. 144-5.

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